



Los Angeles CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: MAR 28 2007

CITY COUNCIL
Room 395, City Hall

CASE NO. CPC-2007-660-HPOZ-MS

Location: Various
Council District: No. 4 ✓
Plan Area: Wilshire

Applicant: City of Los Angeles

Request(s): Proposed establishment of the Windsor Square Historic Preservation Overlay Zone

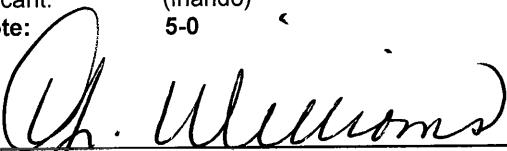
At its meeting on March 22, 2007, the following action was taken by the City Planning Commission:

1. **Set aside** the City Planning Commission's September 8, 2005 approval of the Windsor Square Preservation Plan;
2. **Approved** the establishment of the Windsor Square Historic Preservation Overlay Zone (HPOZ) and **recommended** that the City Council approve and adopt the Ordinance (Exhibit E-1) to establish the boundaries of the proposed Windsor Square HPOZ, for an area generally bounded by Beverly Boulevard on the north, both sides of Van Ness Avenue on the east, the rear property lines of the commercially zoned properties along Wilshire Boulevard on the south, and both sides of Arden Boulevard on the west, but excluding commercial and multi-family – R3 zoned lots.
3. **Found** that the boundaries of the Windsor Square HPOZ are appropriate and that the proposed 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. **Approved** the Windsor Square Historic Preservation Overlay Zone (HPOZ) Preservation Plan.
5. **Approved** the attached Staff Report and the Exhibits as the Commission Report;
6. **Adopted** Categorical Exemption No. ENV 2007-662-CE as shown on Exhibit E-6; and
7. **Adopted** the Findings in the attached Staff Report.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Woo
Seconded: Cardoso
Ayes: Hughes, Kezios, Roschen
Recuse: Usher
Absent: Freer, Kay
Vacant: (Irlando)
Vote: 5-0



Gabrielle Williams, Commission Executive Assistant II
City Planning Commission

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Attachments: Staff Report w/Ordinance/boundary map/Findings



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



City Planning Commission

Date: March 22, 2007
Time: after 8:30 a.m.*
Place: Van Nuys City Hall
Council Chamber 2nd Floor
14410 Sylvan Street
Van Nuys, CA 91401

Public Hearing: Required
Appeal Status: None
Expiration Date: None

Case No.: CPC-2007-660-HPOZ-MSC
CEQA No.: ENV-2007-662-CE
Related Cases: CPC-2002-3308-HPOZ
CPC-2005-2761-MSC
Council No.: 4
Plan Area: Wilshire
Certified NC: Greater Wilshire
GPLU: Very Low II, Low I, Low II, Low
Medium I, and Open Space
Zone: RE15-1, RE11-1, RE9-1, R1-1,
R2-1, and OS-1XL
Applicant: City of Los Angeles

PROJECT LOCATION: Generally bounded by Beverly Boulevard on the north, both sides of Van Ness Avenue on the east, the rear property lines of the commercially zoned properties along Wilshire Boulevard on the south, and both sides of Arden Boulevard on the west, but excluding commercial and multi-family – R3 zoned lots.

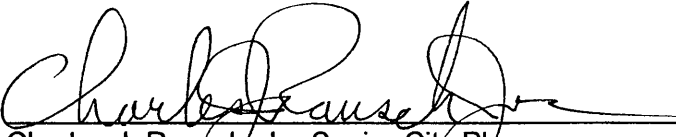
PROPOSED PROJECT: The establishment of the Windsor Square Historic Preservation Overlay Zone and approval of the Windsor Square Preservation Plan.

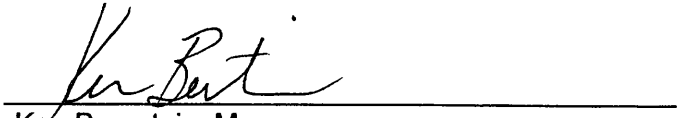
REQUESTED ACTION: Pursuant to Section 12.20.3 F of the LAMC, the City Planning Commission shall make a recommendation to the City Council regarding the proposed establishment of the Windsor Square Historic Preservation Overlay Zone (HPOZ) and pursuant to Section 12.20.3 E of the LAMC shall approve, approve with changes, or disapprove the Windsor Square Preservation Plan.

RECOMMENDED ACTIONS:

1. **Set aside** the City Planning Commission's September 8, 2005 approval of the Windsor Square Preservation Plan;
2. **Approve** the establishment of the Windsor Square Historic Preservation Overlay Zone (HPOZ) and **recommend** that the City Council approve and adopt the Ordinance (Exhibit E-1) to establish the boundaries of the proposed Windsor Square HPOZ as those shown on Exhibit E-1 and E-2;
3. **Find** that the boundaries of the Windsor Square HPOZ are appropriate and that the proposed 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. **Approve** the Windsor Square Historic Preservation Overlay Zone (HPOZ) Preservation Plan as shown on Exhibit E-5;
5. **Approve** the Staff Report and the Exhibits as the Commission Report;
6. **Adopt** Categorical Exemption No. ENV 2007-662-CE as shown on Exhibit E-6; and
7. **Adopt** the attached Findings.

S. GAIL GOLDBERG, AICP
Director of Planning


Charles J. Rausch, Jr., Senior City Planner
Community Planning Bureau


Ken Bernstein, Manager
Office of Historic Resources

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Exhibit E-1: HPOZ Ordinance and Ordinance Map
Exhibit E-2: Proposed Windsor Square HPOZ Boundary Map
Exhibit E-3: Windsor Square Historic Resources Survey: Volume 1
Exhibit E-4: List of Re-Classified Properties
Exhibit E-5: Proposed Windsor Square Preservation Plan
Exhibit E-6: ENV-2007-662-CE

PROJECT ANALYSIS

Project Summary

Adoption of the proposed **Windsor Square Historic Preservation Overlay Zone (HPOZ)** would place the area generally bounded by Beverly Boulevard on the north, both sides of Van Ness Avenue on the east, the rear property lines of the commercially zoned properties along Wilshire Boulevard on the south, and both sides of Arden Boulevard on the west, but excluding commercial and multi-family (R3) zoned lots, under the regulations of subsection 12.20.3 of the Los Angeles Municipal Code (LAMC) (adopted by City Council March 19, 2004) and the Secretary of Interior's Standards for Rehabilitation. Under this HPOZ Ordinance, a Preservation Plan that elaborates and clarifies the Secretary of Interior Standards for Rehabilitation and tailors these guidelines to the unique conditions of a particular neighborhood can be created. Projects in HPOZs with a Preservation Plan also would be subject to the provisions and guidelines in that Plan. Windsor Square chose to develop a Preservation Plan as shown on Exhibit E-5 in conjunction with the establishment of the Historic Preservation Overlay Zone. Although the proposed Windsor Square HPOZ and Preservation Plan would place the subject area under design regulations, it would not change the underlying zoning or prohibit or generate construction activities.

Existing Land Use and Zoning

Subject Properties: The Windsor Square HPOZ area comprises approximately 66 blocks of primarily single-family dwellings on 1,169 parcels of which 1,045 were identified as Contributing (over 89%) and 124 as Non-Contributing. The zoning on parcels within the HPOZ survey area includes: R1-1, RE9-1, RE11-1, RE15-1, R2-1, and OS-1XL. The land use designations are Very Low II Residential, Low I Residential, Low II Residential, Low Medium II Residential, and Open Space.

Surrounding Properties: The immediate areas north of the proposed Windsor Square HPOZ boundaries are zoned R1-1, [Q]C2-1VL, and R3-1. The areas south are zoned CR(PKM)-1, (Q)R3-2. The areas east are zoned R3-1 and R1-1, and the areas west are zoned RE11-1, A1-1XL, and RE15-1.

Background

On October 13, 2004 the City Council adopted the Windsor Square Historic Preservation Overlay Zone and instructed that the ordinance take effect once a Preservation Plan for the area was adopted by the City Planning Commission. At the City Planning Commission meeting on September 8, 2005, a Preservation Plan for the Windsor Square community was adopted and the Windsor Square HPOZ finally took effect.

During this time, a legal challenge to the Windsor Square HPOZ had been initiated. On December 28, 2006, the Superior Court of California, County of Los Angeles, issued the City a peremptory writ of mandate, which "commanded the City of Los Angeles to set aside and vacate the Cultural Heritage Commission's February 4, 2004 approval of the Windsor Square Historic Resources Survey; set aside and vacate Ordinance No. 176246, establishing the Windsor Historic Preservation Overlay Zone and approving a CEQA general exemption with respect thereto; and set aside and vacate the City Planning Commission's September 8, 2005 approval of the Windsor Square Preservation Plan". This writ was based upon the Court's October 20, 2006 decision, which found that in adopting a General Exemption for the Windsor Square Historic Preservation Overlay Zone and Preservation Plan, the City failed to consider the environmental impacts of the project.

The Court also focused on a definition contained in the Survey meant to assist the survey teams in determining whether past alterations to historic structures were reversible. The original Survey contained language indicating that the alterations were considered irreversible if it would require an "economic miracle" to restore the structure. The Court ruled that this "economic" was too vague and arbitrary.

In response to the Court's judgment, the City Council repealed Ordinance No. 176,246, which established the Windsor Square Historic Preservation Overlay Zone and directed the Cultural Heritage Commission to set aside its February 4, 2004 approval of the Windsor Square Historic Resources Survey and the City Planning Commission to set aside its September 8, 2005 approval of the Windsor Square Preservation Plan. After the Council acted, the Director of Planning initiated another Historic Preservation Overlay Zone and Preservation Plan for the Windsor Square neighborhood consistent with the goals and objectives of the Wilshire Community Plan, a land use element of the General Plan, on February 7, 2007.

Issues

After the Court's decision, the Department of City Planning conducted analysis to determine the appropriate level of environmental review necessary to re-certify the Windsor Square Historic Resources Survey and re-adopt the Windsor Square Historic Preservation Overlay Zone (HPOZ) and Preservation Plan. In addition, the Department of City Planning completed its analysis regarding the "economic miracle" standard and adopted federally accepted guidance on reversibility and historic properties in its re-examination of all properties that had been previously reviewed under the "economic miracle" standard. As a result of these analyses, the Department of City Planning is recommending that the Windsor Square HPOZ be established and the Windsor Square Preservation Plan be approved.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Discussion

The City Council originally adopted the ordinance establishing the Windsor Square Historic Preservation Overlay Zone subject to a General Exemption under CEQA. Since then, Department of City Planning staff has conducted considerable additional research and concluded that Categorical Exemptions Class 8 and 31 of the State CEQA Guidelines are appropriate. Categorical Exemption, 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". Categorical Exemption, 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 Interior's Standards for the Treatment of Historic Buildings (1995), Weeks and Grimmer". A number of cities in California have used either or both of these categorical exemptions in the establishment of their historic districts. Pasadena, Berkeley, and Santa Rosa have used Class 8. Long Beach, San Diego, and Santa Monica have used Class 31 and Oakland has used both Class 8 and Class 31.

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 certification of the Windsor Square Historic Resources Survey in conjunction with the establishment of a Historic Preservation Overlay Zone and Preservation Plan regulates

construction activities to ensure the protection of a City historic resource: the Windsor Square neighborhood. In fact, the purpose of the proposed HPOZ is to prevent significant environmental impacts to a historic and cultural resource identified in the Wilshire Community Plan. Without regulation of construction activities in Windsor Square, the historic integrity of the neighborhood could be lost through incompatible alterations and new construction and the demolition of irreplaceable historic structures. The design guidelines in the Windsor Square Preservation Plan are based upon Secretary of Interior Standards of Rehabilitation and provide guidance on the historically appropriate construction activities in order to ensure the continued preservation of the Windsor Square neighborhood. 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 Interior’s Standards for the Treatment of Historic Buildings (1995), Weeks and Grimmer”.

The establishment of the Windsor Square HPOZ and Preservation Plan falls under Categorical Exemption Class 31 for historic resource restoration and rehabilitation. The proposed HPOZ would protect the historic resource, which in this case is the entire Windsor Square Neighborhood, from incompatible alterations, additions, and demolitions by requiring projects to adhere to the guidelines established in Windsor Square Preservation Plan. The Windsor Square Preservation Plan is grounded in the Secretary of Interior Standards for Rehabilitation and would ensure that maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction is conducted in a historically appropriate manner in order to protect historic integrity of the Windsor Square neighborhood.

Historic Resources Survey Discussion

The Windsor Square Historic Resources Survey was conducted by Jones & Stokes (formerly, Myra L. Frank and Associates) between January 3, 2002 and March 22, 2002, and was revised again in August 2003. As a result of the Court’s decision regarding the standard used to determine the reversibility of an alteration, the City Planning Department re-examined the 2003 Survey comprised of 1,239 parcels. Instead of using an “economic miracle” standard, the Department of City Planning utilized the Secretary of Interior’s National Register Bulletin 15 and the Standards for Rehabilitation, used by all professional historians and architectural historians undertaking historic resource surveys, to determine whether alterations were reversible.

The relevant text in National Register Bulletin 15¹ providing guidance for evaluating altered structures² is as follows:

“A property important for illustrating a particular architectural style or construction technique must retain most of the physical features that constitute that style or technique. A property that has lost some historic materials or details can be eligible [read: contributing] if it retains the majority of the features that illustrate its style in terms of the massing, spatial relationships, proportion, pattern of windows and doors, texture of materials, and ornamentation. The property is not eligible [read: contributing], however,

¹ U.S. Department of the Interior, National Park Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation. Date of Publication: 1990, revised 1991, 1995, 1997, 1998.

² Ibid. Pages 47 and 48.

if it retains some basic features conveying massing but has lost the majority of the features that once characterized its style...If the historic exterior building material is covered by non-historic material (such as modern siding), the property can still be [contributing] if the significant form, features, and detailing are not obscured.”

Buildings that are altered but still convey their historic architectural style according to the guidance set forth in National Register Bulletin 15 were assigned the evaluation code and criterion of “AS—Contributing Altered Structure” in the Windsor Square HPOZ Historic Resources Survey.

Federal guidance has also been provided for ways to alter and rehabilitate historic buildings in an acceptable manner. Alterations that meet the relevant Secretary of the Interior’s Standards for Rehabilitation [36 CFR ‘68.3(b)] would allow a building to contribute to the HPOZ. Alterations or additions that do not destroy important character defining features or that have been undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property remains are considered reversible. The applicable Secretary’s Standards regarding additions and alterations are as follows:

- (9) New additions, exterior alterations, or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion and massing to protect the integrity of the property and its environment.
- (10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”

Examples of some typical alterations to Contributing—Altered Structures

- Stucco coating was applied on a building originally clad in wood, but other historic detail remain such as original windows, doors, the porch, dormers, and rafters.
- Stucco was resurfaced or texture coating was applied to a building that was originally clad in stucco, but may have had a different surface finish.
- Porch area was enclosed or in-filled, but the original form of the structure is still evident.
- A porte cochere was attached to the side of the building.
- Windows were replaced, but the openings were not reconfigured and historically compatible examples of missing windows are found on the building or other buildings in the HPOZ.
- Roof surface, including tiles, were removed.
- Addition(s) of appropriate scale and location.

Although the Court instructed the Department of City Planning to re-evaluate only those properties using the “economic miracle” standard, the Department opted to re-evaluate all 1,239 parcels to ensure consistency among all three designations: 1) Contributing, 2) Contributing-Altered, and 3) Non-Contributing. The Department also conducted additional site visits to capture work undertaken on properties after the original Survey was completed. As a result of the re-study of the Historic Resources Survey, Department of City Planning staff re-classified 105 properties as follows:

- 83 properties were changed from Contributors to Altered Contributors.
- 12 properties were changed from Altered Contributors to Non-Contributors.
- 6 properties were changed from Contributors to Non-Contributors.

- 3 properties were changed from Altered Contributors to Contributors
- One (1) property was changed from a Non-Contributor to an Altered-Contributor.

It should be noted that eight of these changes were due to survey error caused by a mistakenly checked box on the database. Twelve changes were a result of work undertaken on properties after the original survey was conducted. The vast majority of the changes were from Contributing to Altered-Contributing, mainly to call out minor alterations to a structure and ensure that the Survey was consistent in its identification of Altered-Contributors. In terms of the establishment and implementation of an HPOZ, an Altered-Contributor is treated the same as a Contributor. Consequently, only eighteen (18) properties out of 1239 were re-classified as Non-Contributors, representing a little over 1% of surveyed parcels. These changes are so insignificant that they do not result in any change to the percentage of Contributing structures in Windsor Square.

As a result of the re-study of the area and removal of seventy (70) properties from the HPOZ boundaries (see discussion below), the Survey comprises approximately 66 blocks with 1,169 parcels of which 1,045 were identified as Contributing (over 89%) and 124 as Non-Contributing. As set forth in Subsection 12.20.3 of the LAMC to be Contributing, structures, landscaping, natural features or sites within the involved area or the area as a whole shall meet one or more of the following criteria:

(1) adds to the historic architectural qualities or historic associations 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:

(2) owing to its unique location or singular physical characteristics, represents an established feature of the neighborhood, community or city; or

(3) retaining the structure would help preserve and protect an historic place or area of historic interest in the City.

Note: In the Survey, these criteria have been labeled a, b, and c respectively.

The Survey concluded that the Windsor Square area meets the criteria for HPOZ designation, because the majority of buildings are the original structures from the development of this part of Los Angeles, which largely occurred during the 1910s and 1920s. Many contributing buildings retain their historic design features depicting the array of period revival styles common during these decades, predominantly, Spanish Colonial Revival, Mediterranean Revival, Tudor Revival, English Revival, and Craftsman. The vast majority of the buildings were designed by important local architects and were built for prominent families at a much higher original construction cost relative to other contemporary residential buildings in Los Angeles. On March 1, 2007, the Cultural Heritage Commission concurred with this determination and certified the revised Historic Resources Survey to its accuracy and completeness.

Historic Preservation Overlay Zone Boundary Discussion

The proposed Windsor Square HPOZ is generally bounded by Beverly Boulevard on the north, both sides of Van Ness Avenue on the east, the rear property lines of the commercially zoned properties along Wilshire Boulevard on the south, and both sides of Arden Boulevard on the west, but excluding commercial and multi-family – R3 zoned lots. The Planning Department recommended to the Cultural Heritage Commission at its March 1, 2007 that the R3 zoned parcels be removed from the HPOZ, resulting in the elimination of the parcels along

Westminster Avenue, the eastern half of Norton Avenue from 5th Street to 3rd Street, and a small section of the western half of Van Ness Avenue from 5th Street to 3rd Street. The Cultural Heritage Commission certified the establishment of these recommended boundaries.

As discussed at the Cultural Heritage Commission meeting on March 1st, the recommendation to amend the original boundaries was based on the area's relative lack of historic integrity as compared to the remainder of the Windsor Square neighborhood. While there are twenty-two (22) Contributing structures, most of the land mass is taken up with Non-Contributing structures. For example, there are two Non-Contributing condominium/apartment complexes that take up an entire block on Westminster Avenue and Van Ness Avenue. Moreover, approximately 474,000 square feet of land area in the R3 zone is developed with thirteen (13) Non-Contributors as compared to 105,000 square feet of land area with twenty-two (22) Contributors. The Contributors in the R3 zone are much smaller in scale and are scattered among Non-Contributors, which are taller and more massive. As a result, the Non-Contributing structures have a more imposing visual impact on these streets, lacking the cohesiveness and historic integrity of the remainder of the proposed Windsor Square HPOZ.

Finally, the original 2004 City Planning Commission Staff Report did not subtract properties that were removed from the HPOZ boundaries when reporting on the number of parcels within the proposed Windsor Square Historic Preservation Overlay Zone. Commercial properties and some multi-family properties around Norton Avenue and Wilshire Boulevard were removed from the HPOZ boundaries in 2004, resulting in the exclusion of thirty-five (35) properties, sixteen (16) Contributors, six (6) Altered-Contributors, and thirteen (13) Non-Contributors.

Preservation Plan Discussion

The Windsor Square HPOZ Preservation Plan will govern the implementation of the Windsor Square Historic Preservation Overlay Zone (HPOZ). The proposed Preservation Plan was specifically tailored to the Windsor Square HPOZ area and involved extensive participation from residents in its preparation. Through its design guidelines, goals and objectives, the Preservation Plan aims to create a clear and predictable set of expectations as to the design and review of proposed projects within the HPOZ.

The Windsor Square HPOZ Preservation Plan will be used by the HPOZ Board to make recommendations on projects under their jurisdiction. The Plan is also used by the Department of City Planning as the basis for its determinations on Certificates of Appropriateness (COAs) and Certificates of Compatibility (CCMPs) and to review projects where the authority has been delegated to the Director. The Windsor Square Preservation Plan will also serve as a resource for property owners planning repairs or alterations, as an educational tool for both existing and potential property owners, residents, and investors, and will also be used by the general public to learn more about the City of Los Angeles and its unique neighborhoods.

When the Windsor Square HPOZ was in effect, the Preservation Plan was successfully used to provide guidance for nearly fifty projects located within the Façade and Visible Area. Because of the effectiveness of the Preservation Plan, the Department of City Planning is recommending that the previously adopted Plan remain unchanged, with one exception. When the Plan was going through the adoption process, language exempting Conforming Work on Non-Contributors from review was omitted. As a result, Non-Contributing structures are required to go through a review process when language in the Plan only addresses Contributing structures. Thus, the Department of City Planning is recommending the following be added under exemptions:

- u. Work that the Director determines qualifies for Conforming Work on Non-Contributing Elements pursuant to LAMC 12.20.3 J, unless such involves the relocation of buildings or structures dating from the Preservation Zone's period of significance onto a lot designated as Non-Contributing.

This language was taken directly from previous drafts of the Preservation Plan and Commission Staff Reports.

Some of the key excerpts from the Preservation Plan include:

1.4 Exemptions

As instructed by the City Planning Commission and City Council (notwithstanding LAMC 12.20.3 to the contrary), the following are exempt from HPOZ review In the Windsor Square HPOZ (unless it is located in the Right-of-Way or subject to a Historical Property Contract):

- a. *Interior Improvements or interior remodels;*
- b. *Paint color;*
- c. *Lighting;*
- d. *Fences and Walls;*
- e. *Natural Features, Landscaping, pavement, and hardscape materials (in the existing footprint of walks and driveways);*
- f. *Grading and site development;*
- g. *Awnings, and shutters;*
- h. *Window boxes;*
- i. *Maintenance, Repair, and/or Rehabilitation of existing Foundations;*
- j. *Maintenance, Repair and/or Rehabilitation of existing Stucco;*
- k. *Gutters and downspouts, not otherwise regulated as part of an in-kind roof replacement;*
- l. *Decks, so long as no part of the deck is located within the Façade and Visible Area;*
- m. *Swimming Pools, so long as no part of the swimming pool or pool equipment is located in the Façade and Visible Area;*
- n. *Solar collectors, skylights, antennas, satellite dishes, and broadband internet systems (located outside of the Façade and Visible Area);*
- o. *HVAC equipment (not located on a roof or within the Façade and Visible Area);*
- p. *Additions to a Contributing building or structure that maintain the existing roofline that are located entirely outside the Facade and Visible Area. For purposes of this exemption "maintain the existing roofline" means the height of all parts of the Addition will be less than or equal to the height of the existing ridgeline of the existing roof of the building or structure, (immediately adjacent to the Addition) and maintaining all parts of the existing roof within the Façade and Visible Area, including but not limited to its slope, pitch and shape;*
- q. *The construction or alteration of detached accessory structures (e.g., garages, gazebos, potting sheds, and greenhouses,) that are not located within the Façade and Visible Area;*
- r. *Alteration, Maintenance and Repair, Reconstruction, Rehabilitation and Restoration of a Contributing building or structure where the work is located wholly outside the Façade and Visible Area;*
- s. *Demolition of a Non-Contributing Building or structure in response to a natural disaster;*
- t. *Security grills, so long as no part of the security grill is located within the Façade and Visible Area.*

