

**Historic Resource Determination Form**

Government Code Section 65913.10 states that “[f]or purposes of any state or local law, ordinance, or regulation that requires the city or county to determine whether the site of a proposed housing development project is a historic site, the city or county shall make that determination at the time the application for the housing development project is deemed complete.” To assist the City in complying with Section 65913.10, you are required to complete this form as part of your application for a housing development project.

**Please check all that apply:**

- Category #1:** The site contains a resource listed on the National Register of Historic Places.
- Category #2:** The site contains a resource listed on the California Register of Historical Resources (“California Register”). (Note: this includes any resource listed on the National Register of Historic Places.)
- Category #3:** The site contains a resource determined by the State Historical Resources Commission to be eligible for listing on the California Register.
- Category #4:** The site includes any resource designated as a historic resource or a historic landmark by the City, pursuant to Chapter 12.44 of the Los Altos Municipal Code.
- Category #5:** The site includes any resource that meets the following criteria described in Public Resources Code Section 5024.1(g):
  1. The resource has been identified in a historic resources survey.
  2. The survey has been or will be included in the State Historic Resources Inventory.
  3. The survey and the survey documentation were prepared in accordance with Office of Historic Preservation procedures and requirements.
  4. The resource is evaluated and determined by the office to have a significance rating of Category 1 to 5 on DPR Form 523.
  5. If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.
- Category #6:** The site contains any building, structure, or permanently located object that has been in existence for at least 50 years.

**Applicant’s Statement:** I declare under penalty of perjury under the laws of the state of California that I have made a diligent and good faith investigation and reasonable inquiry to appropriate sources regarding the foregoing, and that on the basis of my investigation and inquiry I believe that the foregoing is true and correct.

Signed: \_\_\_\_\_ By: \_\_\_\_\_  
 Dated: \_\_\_\_\_ At: \_\_\_\_\_, CA

**Staff’s Statement:** The information listed above with respect to federal, state, and local registries is hereby confirmed. \_\_\_\_\_ (Initials). (If the information is not confirmed, note correct facts in file.)

## Determination

### Determination Criteria:

- If the site contains a Category 1, 2, and/or 3 resource, then the site is a historic site.
- If the site contains a Category 4 resource, then applicable provisions of Chapter 12.44 of the Los Altos Municipal Code apply. If the applicant believes that the site should not be deemed historic for purposes of other state or local laws, ordinances, or regulations requiring a historic determination, including the California Environmental Quality Act (“CEQA”), then the applicant may submit any and all evidence that, in the applicant’s opinion, establishes that the resource is not historically or culturally significant. The site shall be deemed a historic site unless the applicant submits sufficient evidence to enable the Planning Director or designee to determine by a preponderance of the evidence, in his or her sole and absolute discretion, that the resource is not historically or culturally significant. The Planning Director or designee’s failure to notify the applicant of such determination at the time the application for the housing development project is deemed complete shall constitute an implied and conclusive finding that the site is a historic site.
- If the site contains a Category 5 resource, then the site is presumed to be a historic site. If the applicant believes that the site should not be deemed historic, then the applicant may submit any and all evidence that, in the applicant’s opinion, establishes that the resource is not historically or culturally significant. The site shall be deemed a historic site unless the applicant submits sufficient evidence to enable the Planning Director or designee to determine by a preponderance of the evidence, in his or her sole and absolute discretion, that the resource is not historically or culturally significant. The Planning Director or designee’s failure to notify the applicant of such determination at the time the application for the housing development project is deemed complete shall constitute an implied and conclusive finding that the site is a historic site.
- If the site contains a Category 6 resource that is not also a Category 1 to 5 resource, then the applicant shall submit DPR Forms 523A and 523B, which shall be completed by a professional with a degree in architecture or a license to practice architecture, plus (1) at least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or (2) at least one year of full-time professional experience on historic preservation projects. Within 30 days of receipt of both forms, the Planning Director or designee shall determine on the basis of substantial evidence whether the Category 6 resource is historically or culturally significant. If he or she determines that the resource is historically or culturally significant, then the site shall be deemed a historic site. Otherwise, the site shall not be deemed a historic site solely on the basis of the Category 6 resource.
- If the site does not contain any type of resource listed above in Categories 1 to 6, then the site is not historic.
- ***This is not a determination regarding tribal cultural resources. Additionally, Government Code Section 65913.10 does not supersede, limit, or otherwise modify the requirements of CEQA. If new or additional information comes to the City’s attention regarding the existence of historical resources located onsite, the City shall comply with CEQA notwithstanding any initial determination by the City at the time the application for the housing development project was deemed complete. The City shall not be bound by any inaccurate information provided by the applicant on or in connection with this form (even if confirmed by the City), and the Planning Director’s determinations as described above shall not bind the housing development project’s approval authority, in its capacity as the lead agency, in making any finding or other determination required under CEQA Guidelines Section 15064.5.***

**Staff Use Only:** Based upon the above information, the site  ***is***  ***is not*** a historic site.