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### Council OKs historic preservation law

By Kimra McPherson  
Mercury News

The Mountain View City Council on Tuesday approved a voluntary historic preservation ordinance that puts the fate of the city's buildings in the hands of property owners and neighborhoods.

The ordinance, adopted on a 5-2 vote, involves re-adopting a list of 93 properties placed on an emergency historic register in 2002 but gives owners six months to request removal from the list. Property owners whose buildings are on the register will become eligible for benefits from the city, including property tax rebates.

The council also approved "refined neighborhood design overlay zoning," which means neighborhoods will be able to choose individually whether to establish preservation criteria and what architectural characteristics -- if any -- should become neighborhood standards.

"One of the things that we're trying to preserve is the neighborhood feel, but each neighborhood has a different feel," Councilman Mike Kasperzak said.

After two years of spirited debate, about 100 people turned out Tuesday night for what turned out to be a civil session in which most of the speakers favored the proposed ordinance.

Two years ago, homeowners felt powerless about the designation of their homes as historic, and the restrictions it would put on them if they wanted to expand or alter their properties. The idea of making the designation voluntary eased their minds.

"You're not just talking about paint and lumber here. You're talking about the lives of people," said resident Jim Lukash.

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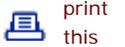
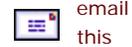
The issue of historic preservation has sparked strong feelings by residents on both sides of the debate. Those who supported the voluntary ordinance said it would allow Mountain View to preserve its distinguishing buildings without infringing on owners' rights. Those who sought a mandatory ordinance have said they fear owners won't choose to preserve their properties and could tear down some of the city's most beloved buildings.

``To pass this ordinance and claim that we now have historic preservation in the city would be a cruel hoax," Councilwoman Rosemary Stasek said. ``It would be more forthright to simply not adopt anything."

Properties on the register will be required to obtain a city permit for any work that could affect the historic character of the building. That excludes work on the interior of the building or changes to landscaping. Standard repair and maintenance or changes necessary for safety also are exempt.

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