

A Path to Parity
Adopting a Historic Preservation Element to the General Plan



A Professional Report
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Acknowledgements

This report was written at the behest of the California State Office of Historic Preservation (“OHP”) to assist them in preparing a technical advisory to California cities, which are considering adopting a separate preservation element as part of their General Plan. This report is an attempt to articulate for the OHP why having a separate preservation element will help bring parity to historic preservation has a legitimate land use concern at the decision table in land use planning and provide a framework for how a preservation element should be structured in order to insure that historic preservation is comprehensive, systematic and integrated into the planning vernacular and practice.

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The photograph on the cover page is a beautiful Victorian in Redlands, California.

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Introduction

The State of California acknowledges that its land is an exhaustible resource and that decisions concerning the utilization of land and growth should be contemplated within a long-range planning context. Currently under state law, the State requires each local government to adopt a comprehensive long-range general plan with seven (7) required elements: land use, circulation, housing, conservation, open space and noise. However, there is no State requirement that the general plan address historic preservation or contain a separate preservation element. Because most California communities have not integrated historic preservation into the broader public policy area of land use planning and decision making, in 2001 the Comprehensive Statewide Historic Preservation Plan for California states as one of the seven objectives to “[e]ncourage and implement historic preservation as a regular component of public policy planning at all levels of government”. Specifically, it is an objective of the State to encourage governmental entities to adopt preservation elements as part of their general plans. (Statewide Plan, 22). The State has recognized that for historic preservation *as a land use and public policy concern*¹ to achieve parity within the planning context with other legitimate land use goals, cities should adopt a preservation element as an equal component of the city’s General Plan.

Unlike most state resources, once altered, demolished or otherwise eliminated, historic resources can never be recovered or replaced. As land use decisions become increasingly complex and must integrate competing objectives, the need for local governments to have comprehensive planning goals, policies and objectives concerning the preservation of historic resources is more critical than ever. Having a separate preservation element that sets forth the local government’s comprehensive policies for the preservation of its historic resources will give preservation equal footing when decisions concerning the use of land are made by planning authorities, whether it be a zoning administrator, planning commission, redevelopment agency, city council or court of law.

¹ Why historic preservation is a legitimate land use concern, stems directly from why historic places are valuable in the American vernacular. This report will briefly discuss why we preserve (see *infra*), but is not the primary focus of this report.

The purpose of this report is three-fold: to provide the rationale for having a separate preservation element as part of the general plan; provide the basic framework for developing an element; and provide key issues and content considerations. The report is based on the experience of preservation planners, as provided through survey responses and personal interviews, planning and preservation literature and a thorough review of existing preservation elements already in place in some California cities. To provide more richness in the meaning of the framework and content consideration, the report will provide hypothetical examples of how preservation planning can address common of scenarios often faced by planners and preservationists alike. The report will also share excerpts from preservation elements to demonstrate the issues being addressed in preservation today, the approaches taken by various cities in dealing with those issues and how thoughtful cities can be in understanding the complex issues surrounding historic preservation.

This report therefore, is divided into seven chapters. The first chapter details the methodology used to develop the content of the report. The second chapter discusses why we preserve and why cities should adopt *separate* preservation element as part of their general plan. The third chapter details how the element should be structured conceptually. The fourth, fifth, sixth and seventh chapters describe in depth what elements should contain and why. The appendix contains the survey instrument used and the quantitative results, a listing of those states with preservation elements and those states, which provided copies to the OHP. Copies of all the preservation elements provided by the various cities are available through the OHP.

Chapter 1

Methodology of Study

The information contained in this report is a conglomeration of information provided in the planning and preservation literature, a thorough review and analysis of existing preservation elements, personal interviews with preservation planners, and responses to a survey to the planning directors of those cities with preservation elements. What emerges from this research is a logical framework for developing a preservation element and an understanding that preservation planning is an evolving dynamic process that can be quite systematic and comprehensive.

Review and Analysis of Preservation Elements

To understand the myriad of issues facing preservation and to help determine a workable framework for an element, an in-depth analysis of those cities that have chosen to incorporate a separate preservation element within their comprehensive general plan was conducted. Of the 567 cities in the State of California, approximately 74 cities² have reported to the Governor's Office of Planning and Research ("OPR") as having a separate preservation element³. Copies of the elements were requested from each of those cities, with 47 providing their elements for review. Some cities included their preservation ordinances, as well. Two cities provided their draft elements with adoption expected before 2003.

Once the elements were received they were reviewed for common themes and content. Most contained the multi-front approach to historic preservation and had dozens of programmatic ideas to promote and save the city's historic resources. Based on general planning literature, personal interviews with preservation planners (*see infra*) and the legal mechanisms that necessarily govern historic preservation in California, a

² The information contained in this report was derived from information provided by various cities, but would be generally applicable to counties as well. There are 11 counties which also report having preservation elements.

³ This is not necessarily an accurate count of the number of cities which actually have a separate preservation element. Some cities reported having a separate element, but only addressed historic preservation in a required element such as land use or open space. There also may be instances where a city actually has a separate element or is in the process of developing one that is not reflected in the count provided by the Office of Planning and Research. Finally, at least six (6) of the 73 cities actually reported in error and do not have preservation elements.

sampling of 25 elements were also analyzed for three key overriding considerations to determine whether cities have taken a comprehensive and systematic approach to preservation planning: 1) whether cities attempted to define historic preservation and provide a foundation for preservation planning; 2) whether cities made the linkage between identification, designation and regulation and attempt through that process to make preservation planning more systematic and comprehensive; and 3) whether cities provided for an integration of preservation into the entirety of city planning. A matrix of these key considerations is included in Chapter 3.

The cities in the sample were chosen because their planners responded to the survey, their preservation planner was interviewed or were chosen for geographic balance. And these sample cities were at various stages in the preservation planning process.⁴ There were not hard and fast rules for categorizing cities. Rather, the identification of the stage of preservation planning is simply intended to demonstrate that even cities just beginning preservation planning, can be comprehensive and comprehensive regardless of city size. Cities were considered “large” if the population was over 250,000, “medium” if between 249,000-100,000 in population, “small” if between 99,999-25,000 in population, and “very small” if less than 24,999 in population. Regions were loosely drawn as Los Angeles (“LA”), Bay Area (“Bay”), San Diego (“SD”), Central Valley (“CV”), Central Coast (“CC”), Sierra Foothills (“SFH”), and north of the Bay area (“North”). Several areas of the state were unrepresented because no cities reported having preservation elements to the OPR. Figure 1 is a matrix describing the sample cities:

⁴ For instance, a stage 1 city may just be starting their preservation program, considering adopting an ordinance, creating a historic resource commission and developing a demolition policy. A stage 2 city may have adopted an ordinance, created a commission, has instituted a design review and demolition process and has some educational activities. It may be considering expanding their preservation activities and is attempting to increase the importance of preservation in the planning realm. A stage 3 city probably already has comprehensive preservation program in place, has dedicated staff to preservation, has integrated somewhat preservation into the planning process, has strong commitment to preservation from the community and community leaders and is expanding the scope of their preservation activities.

Figure 1:

Sample Cities (n=25)	Description of Sample Cities					
	Population	Size Category	CA Region	Date of Element	Reason for inclusion in Sample	Stage of Preservation Planning
Brea	35,410	Small	LA	1992	Survey	2
Claremont	33,998	Small	LA	1981	Survey	2
Colma	1,191	Very Small	Bay	1999	Survey	3
Corona	124,966	Medium	LA	2001	Interview	1
Coronado	24,100	Very Small	SD	1999	Survey	2
Costa Mesa	108,724	Medium	LA	2002	Survey	2
Davis	60,308	Small	CV	2001	Survey	2
Glendale	194,973	Medium	LA	1997	Survey	2
Glendora	49,415	Small	LA	1999	Survey	3
Grass Valley	10,922	Very Small	SFH	1999	Region Balance	2
Napa	72,585	Small	Bay	1998	Survey	3
Pacific Grove	15,522	Very Small	CC	1994	Survey/interview	3
Palm Springs	42,807	Small	LA	1993	Survey	2+
Portola Valley	4462	Very Small	Bay	1998	Survey	2
Redlands	63,591	Small	LA	1993	Survey/interview	2+
Riverside	255,166	Large	LA	Draft	Survey/interview	3
San Clemente	49,936	Small	LA	1993	Interview	2
San Jose	894,943	Large	Bay	1994	Survey	1
Santa Cruz	54,593	Small	CC	1992	Survey	2
Santa Monica	84,084	Small	LA	Draft	Survey	3
Santa Rosa	147,595	Medium	Bay	2002	Survey/interview	2
Sausalito	7330	Small	Bay	1997	Survey	2
S. Pasadena	24,292	Very Small	LA	1998	Interview	2
Ukiah	15,497	Very Small	North	1995	Survey/interview	1
Woodland	49,151	Small	CV	1996	Region Balance	2+

Cities that had elements, which appeared well-constructed and comprehensive in approach, were identified as potential interview candidates. Moreover, portions of various elements which were particularly well-written have been also been identified and excerpts are provided throughout this report.

Personal Interviews

To obtain a more fine grained view of historic preservation in the planning context and to better understand the *actual* role of a well-written and comprehensive historic preservation element, in-depth interviews were conducted with planners in eight cities: one large city, two medium-sized cities, two small cities and three very small cities. In addition to planners, the director of the California Preservation Foundation was also interviewed.

Preservation planners in the interview cities provided examples of some issues that have arisen in their communities. To make the various points here, these real-life examples form the basis of “hypotheticals” provided throughout this report. Because some specific instances may still be “controversial” within the community, the identity of the cities will not be revealed in connection with the hypothetical.⁵ Moreover, the real-life example may have been embellished here to further the point at issue. Likewise, the photographs accompanying the hypotheticals may have been taken in city A, but the story may have emanated from city B. The photographs are intended only for visual interest.

Study Survey

In addition to the interviews, a survey was sent to the planning directors of those cities, which provided a copy of their preservation element. The survey sought to discover what planners thought of having a historic preservation element, including:

- What were the most important components a preservation element should contain
- Where historic preservation stood as a land use concern in comparison to other land use concerns such as density, traffic, affordable housing or commercial development;
- Whether historic preservation was given more weight when land use decisions were made since having the preservation element;
- Whether planning commissions and city councils were making reference to and using the preservation element in guiding their decisions concerning historic resources;
- What is the single biggest obstacle to integrating historic preservation into the planning process;
- Whether there had been a reduction in conflicts since adoption of the preservation element; and
- How useful has it been having a preservation element in place?

The responses were not overwhelming amongst planning directors (n = 24/66), but provide some insight into where preservation stands today as a land use concern, what obstacles preservation faces and what planners believe should be included in any preservation element. A copy of the survey instrument and complete survey results are also contained in the Appendix. As they pertain to the various subjects presented throughout this report, specific survey results will be discussed.

⁵ I am grateful to those planners and preservationists who were willing to sit down and discuss with me the planning process and the real obstacles to having an effective preservation program. Their input was invaluable and has taken this analysis from the theoretical to the practical. It is my hope that this report will provide meaningful information for those cities considering the adoption of a preservation element.

Chapter 2

Why

Before addressing the framework and content of preservation elements, it is important to understand, at least conceptually, why historic preservation is viewed as important to the community and why cities should adopt a separate preservation element as part of their general plan. The “what and how” would seem somehow disconnected without an understanding of these two important considerations.

The Case for Historic Preservation

Of what use is eternity without the past

-Miles Harvey

Oddly enough, the most difficult concept to articulate throughout the preservation movement and during the course of this analysis is: why we want to preserve historic places.⁶ In other words, what is the *moral reason* we want to save old places, rather than build anew. Without attempting to answer the “why”, there is no real point in exploring the concomitant need for cities to adopt a comprehensive set of goals, policies and objectives within a separate preservation element within the General Plan.

Broadly speaking, historic preservation is a “means of keeping a people’s shared memory intact”.⁷ It is about improving the quality of life by “making a tangible link with something real and lasting and meaningful”. (Id.) It is about



Redlands Neighborhood

⁶ The author acknowledges that the intrinsic value of heritage is in the eye of the beholder and that maintaining a community’s sense of heritage may not be a universally shared ideal. However, the economic benefits of historic preservation are clear. Preservation has pumped life into moribund neighborhoods, increased property values, improved public safety, created jobs, and brought in tax dollars. Ironically, like an old building, the emotional or moral value of preservation will only be known over time.

⁷ Moe, Richard. Message from the President (of the National Trust for Historic Preservation]. In *With a Heritage So Rich*, Rev. ed. Albert Rains and Laurance G. Henderson (Washington, D.C.: Preservation Books, 1999). Cities should highlight these tangible benefits of preservation not only to educate its citizenry, but to demythologize the nature of preservation.

strengthening the “foundations of our society” in an “age of rootlessness and erosion of community.” (Id.) The preamble to the National Historic Preservation Act of 1966 acknowledged this phenomena and articulated that the “historical and cultural foundations of the Nation [are] preserved as a living part of our community life and development *in order to give a sense of orientation to the American People.*”⁸ (emphasis added). The Act recognized that preserving the best of community’s built heritage is vital to “bridging generations and to re-establishing a sense of place and a sense of pride in a local community”. (Rypkema, 1998, 11).

The need for such orientation is becoming more evident with time. The growing dissatisfaction with the suburbs and insatiable sprawl seems to be grounded in the sameness of it all. (Highsmith 1994, 15). The transience that has been the prominent part of American life for so long has eroded “community”. (Hamer 1998, 124). Not surprisingly therefore, the nostalgia of the small town is really a “quest for community- a nostalgia for a compassable and integral living unit”. (Moe, 1997, 176).⁹ The more



Riverside Civic Building

homogeneous our lifestyles become, the more we will cling to deeper values, including religion, art, literature and heritage. Historic preservation satisfies the hunger for distinctiveness, for community. Somehow, the ambiance and integrity of historic buildings foster a unique sense of place, a connection to the past and an enhanced quality of life. (Renner 1998, 1).

How historic preservation does this is even more difficult to articulate. However, the answer lies, in part, in aesthetics and, in part, scale. People are drawn to the physical beauty and quality craftsmanship often seen in historic buildings.¹⁰ More and more people are feeling dissatisfaction with the quality and character of new development. (Highsmith 1994, 15). People long for communities that

⁸ National Historic Preservation Act of 1966, as amended, 16 U.S. C. § 470.

⁹ Citing *America as a Civilization* by Max Lerner.

¹⁰ There is a broad recognition that almost any building built prior to World War II may be architecturally unique and the materials, details, craftsmanship and styles are difficult, if not, prohibitively expensive to reproduce today. (Weinberg 1979).

are on a “human scale” and “where public life is manageable”. (Moe 1997, 177). Communities that have instituted development design standards have learned valuable lessons from historic communities about the relationship between aesthetics and economics, the relationship between buildings and people, and the interrelationship of buildings. (Rypkema, 1994, 30). Downtowns and main streets that thrive provide architectural beauty and entice human interaction. (Id. at 60). It is not coincidental that historic buildings were built with pedestrians in mind, with windows you can see through. It is not coincidental that the historic architecture of individual buildings and, collectively as a district, invite entry. There is a sense that historic downtown is the center of interaction for the entire community and is owned by the entire community. (Id. at 59). It is this sense of place that fosters pride and gives people incentive to remain active in the community as citizens, as neighbors, and as property owners. (Morris 1994, 31). As stewards of historic places in California, cities and citizens alike have a responsibility to protect its historic resources and through a comprehensive set of goals, policies and objectives, which have parity with other land use concerns to insure the legacy of our past, will inform our collective futures.

Why Cities Should Adopt a Separate Historic Preservation Element¹¹

Some truths bear repeating and repeating

-David McCollough

Ironically many of the reasons California cities should adopt a *separate* historic preservation element are grounded in fundamental planning principles and not necessarily specific to historic preservation. Planning is intended to be a “deliberative process of devising a set of actions to change the future course of events for some public purpose.” (Christiansen, 1999, 1). It is an attempt to channel the dialogue between the city and its citizens to pronounce their vision for their city: where they have been, what they now are

¹¹ The fundamental issue that a technical assistance bulletin should address is “why” cities should have a *separate* historic preservation element. Why should a city go to such lengths when cities like Pasadena, Santa Barbara and, until recently, Riverside who do not have separate elements, in fact have effective historic preservation programs? Without a clear statement of “why” the remainder of the analysis would be equally applicable to say a historic preservation component with the existing Land Use Element. In fact, some cities expressed concern that by having a separate element, day to day planners would never reference it because they often and primarily *only* refer to the Land Use element when approving projects and making recommendations to the Planning Commission and City Council. A full explanation of the benefits of having a separate element is critical to encouraging cities to go that extra and crucial step.

and what they would like to become. Planning is the attempt to impose some level of certainty about the future. (Christiansen, 1999, 7.) These truths bear repeating, even to planners. These truths are equally relevant to historic preservation.

Through its mandatory requirements, the State of California acknowledges the need for a city plan. It saw fit to require California cities to plan in order make land use decisions with “reference to a broad, carefully conceived framework rather than an ad hoc process.” (O’Connell, 1982, 135). And while the State only mandates certain elements, the same need for a carefully conceived plan to insure the preservation of historic resources is no less important just because it is not “mandated”. To the contrary: in order to make carefully conceived land use decisions that *do not adversely affect* historic resources in the future, *preservation must be at the decision table*. Effective plans provide “information for interdependent decisions”, especially if decisions made will be irreversible. (Hopkins, 2001, 2, 5). And, while plans generally should “incorporate uncertainty by including a set of possible actions”, it is the hope of the State that through preservation planning a high level of uncertainty concerning the fate of irreplaceable historic resources will be taken out of the equation.¹² It can force civic leaders to properly weigh the value of competing land uses against the value of historic resources to the community. It can force civic leaders to face what sacrificing its city’s legacy will mean to the community’s identity, its place in California and its place in the future. By providing comprehensive information, the plan ultimately should affect their choices positively and in furtherance of historic preservation.

While all of this could be accomplished through a dedicated portion of some other existing element such as land use, having a separate comprehensive element demonstrates to civic leaders, citizens and the community that preservation is valid and valuable land use concern. The element should not only reflect existing the levels of importance, it can, in and of itself, elevate the preservation of historic resources in importance to the

¹² Unlike any other land use concern (with the possible exception of the protection of endangered species), lost historic resources can never be retrieved. Historic resources are highly sensitive to changes and changes in their surrounding environment. Extreme care must be taken for their preservation. Ultimately, there are but two possible futures for historic resources: existence or non-existence. Plans can explore all the possible ways to protect the existence and integrity of historic resources and at least insure that the community understands the significance of its resource. A comprehensive plan can insure *time, process* and *means* for the almost “certain” protection. The plan can so elevate the protection of historic resources into the psyche of the community so that non-existence is the last and most unlikely resort.

community. *Having a separate element helps bring historic preservation into parity with other land use concerns in the debate.* And while not all historic resources will be preserved, at least through a dedicated process and armed with emphasis by the community, preservation will have a seat at the table of discussion insuring that all avenues have been exhausted before the community loses a piece of their past.

This theme is repeated throughout the existing preservation elements. For example, in Glendale having a preservation element “reinforces the preservation ethic of the city” and

“[t]hrough implementation of the goals and policy objectives stated in the document, the historic preservation posture of the City is defined. Glendale, through such implementation, takes a decisive approach to historic resource planning. * * * Since historic preservation in Glendale is of utmost importance to the community, the element has been prepared”.

(Glendale General Plan: Historic Preservation Element, 1997: 1). In Sacramento, adoption of the element “demonstrates the City’s long-term commitment to identifying, retaining, and appreciating [the City’s] historic and cultural resources.” (Sacramento General Plan, Preservation Element, 2000: 10-1). In Grass Valley the “creation of a separate Historical Element in the General Plan acknowledges a broader role for historical appreciation in the life of Grass Valley, a community highly conscious of its colorful past.” (Grass Valley General Plan, Historical Element 1999:9:1). And, in La Mesa, the city demonstrated its commitment “to the principle that cultural resource management and historic preservation are in the best interest of La Mesa by the adoption of the comprehensive Historic Preservation Element of the General Plan” and related the importance of preservation:

“[n]o city can hope to understand its present or to forecast its future if it fails to recognize its past. By tracing the past, a city can gain a clear sense of the process by which it achieved its present form and substance. Even more importantly, a city can use this information to determine how it is likely to continue to evolve. For these reasons, efforts directed to identifying and preserving La Mesa’s historic architectural and cultural resources, with their inherent ability to evoke the past, should be pursued.”

(La Mesa General Plan, Historic Preservation Element 1996: 1). Finally, in Riverside, raising historic preservation as “an equal component in the planning and development

process” was its first goal. (Riverside, General Plan Historic Preservation Plan (Draft), 2002: 19). San Monica acknowledges this as well:

“Historic preservation is an optional additional element under state law. Santa Monica has decided to prepare and adopt an [sic] Historic Preservation Element to focus attention on the preservation of historic resources and devote special consideration to planning involving these resources. With the preparation and adoption of the Element, *historic preservation policies will become equal to policies in any mandated elements.*

(Santa Monica General Plan, Historic Preservation Element 2002 (Draft): 3)(emphasis added).

Planners also recognize that having a separate element elevates the importance of preservation in the psyche of the city officials and decision-makers. All of the planners interviewed and many of the planners responding to the survey indicated that having the preservation element has helped bring parity to historic preservation as a legitimate land use concern. And, 81% of those planners responding to the survey question report that since the adoption of the element, historic preservation has been given increasingly more weight when land use decisions are made. Moreover, over half stated that “typically when the city is faced with a legitimate but competing land use concern, the city ordinarily gives the preservation of historic resources preference, but attempts to balance the interests and work out a reasonable solution where the historic resource is not affected adversely and the other land use concern is allowed to proceed.” Slightly less than half stated that preservation only received some consideration, but ultimately the city will allow the competing concern to take precedence, *unless* the existence of the resource is at issue. More than half of the planners also reported that as compared to other land use concerns (such as density, traffic, affordable housing), when decisions are made which may affect historic resources, the City’s preservation policies carry substantially more or about the same weight. Coming from cities with preservation elements, this is very encouraging and support having a comprehensive preservation plan.

Ultimately how preservation fares once at the table of discussion will always depend on the politics in decision-making¹³. Yet the politics are in large measure driven

¹³ Planners interviewed and those responding to the survey echoed this overwhelmingly. When asked what the single most biggest obstacle to integrating preservation into the planning process, they answered “lack

by the civic community and pressure the community can exert. If the community has been engaged in the development of element through the deliberative process it should reflect the community's commitment to the preservation of its historic resources. This no substitute for community support, however¹⁴. The element must also take on the role of education as well. If the element is comprehensive in its description of city history, its historic resources and its preservation efforts (past and future), community support can grow adding to "political" pressure on civic decision makers. Thus, having a separate preservation element can persuasively inform decision-makers¹⁵ the weight preservation should be given in the debate¹⁶ and galvanize community support for that weight.

There are legal ramifications as well. Even though having a preservation element is optional under California law, once adopted it carries the same force of law as the seven required elements. The requirements include consistency amongst elements and within the zoning code. Having a separate element should also prompt a process by which all parts of the General Plan are evaluated for consistency, which should reveal and identify future competing concerns that could be addressed before historic resources become threatened.

Finally, by adopting a comprehensive preservation element, preservation can become a mainstream concern.¹⁷ If the plan is well described, thoughtfully considered,

of political will'. This indicates that decision-makers, especially city councils and planning commissions need to be thoroughly educated and still need a vocal community to support preservation.

¹⁴ Without community support, even the best-laid plans will flounder. Community support and pressure they can exert cannot be underestimated. So what if there is no community support? The element could be the first step in promoting historic preservation. It can describe the community's history and resources, and it can provide for educational programs to make the community aware of its roots. Its utility to promote preservation is endless.

¹⁵ Decision making usually involves a series of trade-offs and the path to the optimal result is not always clear. Likewise, all trade-offs city leaders must make cannot always be anticipated and so having a preservation element that comprehensively details the importance of historic resources to the community at a minimum gives preservation a fighting chance.

¹⁶ As will be discussed *infra*, one of the most important components of a preservation plan is the description of the city's history and its previous efforts in preservation. This type of education can help gain additional community support for preservation activities and which ultimately may be key in the decision making process.

¹⁷ Answering the "why" does not necessarily answer the "when" for a city, however. There are no hard and fast rules or guide posts for when a city should adopt a separate preservation element. Of course the State would prefer all cities to have a comprehensive preservation plan in place forthwith. This is not reality, nor does it provide much guidance to cities with already stretched-too-thin planning departments. Thus, readiness for those cities that have already adopted elements has most often come from urgency, from fear of losing precious historic resources that are presently threatened, or from the recent loss of a particularly sentimental place to some modern monolith. Urgency and fear are not ideal impetuses. Yet this is

methodically addressed and implemented with vigor by the City, the preservation movement can gain more popular support. Moreover through a more systematic approach, the city, in communication with the community, can preserve those historic sites resources that are truly important to the community and decide when new development is preferable. Balance can be struck. Preservation can be de-radicalized and shed its moniker “hysterical preservation”.

All in all, there can be significant benefits to adopting a separate preservation element and if done comprehensively, the preservation of a city’s historic resources can be accorded equal weight amongst many competing land use concerns at the table of discussion and decision-making. Throughout the remainder of this Report other reasons for preservation planning will emerge. And while these reasons are valid for having a separate preservation element, they are equally valid if cities choose to incorporate preservation planning into other existing elements, such as land use.

precisely when cities will go that extra mile and decide to deal with historic preservation more comprehensively. And while the state seeks to eliminate ad hoc decision-making through comprehensive planning, there is still a “put the nearest fire out” mentality in planning that is reality. Since preservation elements are not mandated by law, they often will not be a high priority for cities unless there are historic resources being threatened or the community has suffered a recent and devastating loss. A city will often get to the “why”, “when” unfortunately one of those two events occur. Currently the State cannot say “when”, only the cities can determine that for themselves.

Chapter 3

Preservation Planning: Structure

There is no program without a plan.

-Janet Hansen, Historic Preservation
Specialist, Riverside

Before addressing the framework for a preservation element, it is important to note that preservation planning is a constantly evolving process and not remain static. Preservation planning is not an ordinance.¹⁸ The plan should guide the city's multi-front program for preservation. Among other things it can provide a foundation for preservation; provide for identification, designation and regulation (ordinance) of historic resources; provide for financing; provide for the education of the community, tourists, and civic leaders; provide for integrating preservation into levels of government and the decision-making process; provide for developing a historic resource database to alert planners, developers and other city departments where historic resources are implicated; provide for technical assistance to homeowners; provide for the training of planning staff in historic preservation planning; and provide for the promotion historic preservation in the community, the state and the statehouse. It is, if done well, comprehensive and systematic. It is a process, not an ordinance.

As time passes and a city's history becomes deeper, what is included in the program expands and becomes deeper. As new technologies evolve and preservation standards change, so too should a city's program. But what is in the program and what the city does to preserve its historic resources must be guided by a plan. Any other view simply results in an ad hoc process the State of California sought to eliminate.

What cities try to accomplish with their plan at in any given point in time, depends on where they are in the process and what they can conceivably accomplish

¹⁸ Not surprisingly, 53% of the planners responding the survey question indicated that their cities adopted the preservation element *after* the preservation ordinance had been adopted. This demonstrates that preservation planners understand that having an ordinance alone is not a preservation plan or program. As will be seen *infra*, a plan delineates a course of action through its goals, policies and implementation programs. An effective historic preservation program approaches preservation on multi-fronts. An ordinance is simply a law often written to establish a commission, define historic resources, and can provide regulations to protect the resources. It is one tool in a tool chest full of tools.

considering the resources available to them. Even the smallest of towns, can have an active and evolving preservation program, if planned properly. No matter where a town is in the process, more can always be done. Some planners indicated that there were no “burning issues” and so their plan had not changed from prior years. Yet, this is precisely the time to look objectively at issues that could arise or to promote and expand preservation activities. Preventing crisis in the first place is the very point of planning. No city is static, neither should their preservation plan be static. Those cities that have exemplary programs recognize change, are in tune with change and are keeping pace with it whether it be by updating their survey, implementing a planning database, educating school children, planning preservation events or raising funds for preservation projects in the future.

Finally, no plan, however well written, will be as effective unless city leaders implement the actions described in the plan. This is major caveat to any plan¹⁹. The following framework and content suggestions assume that civic leaders and city government will actually follow the plan they adopt. Unfortunately this is a huge assumption in California. The State offers no real penalties for failure to enact the provisions provided within the plan and leaves to the courts and individual action for enforcement. Thus, it is important that a plan be derived that is achievable and within the resources of local government to enact.

Key Framework

No doubt that every city formats their general plan differently. In some form or another, most identify goals, policies and implementation actions. This structure is perfectly appropriate for the preservation element as well. Yet, when it comes to preservation planning there is but one overarching goal: the identification, designation and preservation of historic resources within the city. All other goals, policies and implementation actions, whether public or private, should be supportive of this primary goal.

Plans that are comprehensive in addressing and supporting this primary goal are good plans. Good plans provide the foundation and context for the primary goal. Good

¹⁹ Strangely enough, the second caveat to the entire process is that some cities may not have well-written or well-conceived preservation plans in any form, and yet are remarkably well-preserved. This does not appear to be the norm, however.

plans link the identification of historic resources to all regulatory actions, through the designation process. Good plans understand the systematic and legal nature of preservation regulation. Good plans attempt to integrate preservation into all aspects of planning. Good plans address issues that face historic resource survival. Good plans seek to educate the community.

And in California, most existing preservation elements do this. The matrix in Figure 2 provides an analysis of 25 preservation elements of various cities' general plans to determine whether the cities have taken a comprehensive and systematic approach to preservation. The sample used here was described *supra* in Chapter One. Specifically, the samples were analyzed to determine: 1) whether cities attempted to define historic preservation and provide a foundation for preservation planning; 2) whether cities made the linkage between identification, designation and regulation; and 3) whether cities provided for an integration of preservation into the entirety of city planning. Based on the analysis in Figure 2, most cities that have elements have taken a comprehensive and systematic approach to their preservation plan.

Most of the sample cities lay some foundation or context for the element, by describing the city's history, its past preservation efforts, the city's known resources and/or the benefits of historic preservation. Most provide some explanation of why the city has chosen to adopt an element. Few, however, explain the legal basis and context for preservation. Why having a foundation that provides the context for historic preservation in the first instance will be discussed at length in Chapter 4.

As will be more closely examined *infra* in Chapter 5, the strength in any element is making the linkage between the identification of resources (through a survey or some inventory process), designation on the federal, state and/or local registers, and subsequent regulation and protection of those resources. Because laws necessarily drive the protection of historic resources, the linkage is critical. The linkage alerts planners, decision makers, community leaders and citizens how the legal process protects and why each link is necessary to insure resource protection. And most of the elements in the sample made that linkage either explicitly or inferentially. Few however, explore in any detail how CEQA can be used to protect historic resources as an additional and often parallel regulatory vehicle.

Finally, less than half of the cities made attempts in the element to provide for the integration of preservation into the planning process. Those cities that did, often took a multi-pronged approach insuring consistency, coordination with other departments, providing for a database and addressing competing land use concerns. The specifics of why these concepts are important for consideration to be included in a preservation element will be explored in detail in Chapter 5.

General structural considerations

Cities should apply also a standard planning structure to the element as well. For instance, to insure that actions planned are completed, the element should clearly identify specific actions to be taken, who is responsible for the actions and the timeline in which the actions are to occur. Without such specificity, there is neither accountability nor any way to measure whether the outcomes sought, were achieved. For example, following its goals and policies, Riverside has an implementation matrix which identifies specific actions to take place within the year, the related policies and goals, and identifies who is responsible for implementation of the action. It is the city's "to-do" list in preservation for the coming year. And of course, the city's actions should relate and link back to the goals and policies formulated.

One technique used by some cities in their element is the identification of specific issues the goals and policies are intended to address. Recitation of such issues provides not only additional information to the reader, but further evidence in support of the actions to be taken. Often the background or issue is identified directly after the goal or policy at issue. For example, Pacific Grove's element provides some explanation of the Certified Local Government program which is the subject of the proposed program:

Program H: Consider application for official certification under the State Certified Local Government Program.

The Certified Local Government (CLG) program allows qualified local governments to have more direct participation in the federal and statewide historic preservation programs. CLGs are eligible for special matching grants for projects that further local historic preservation objectives.

(Pacific Grove General Plan, Historic and Archaeological Resources, Chapter 7, 1994: 127)(emphasis added). The City of Redlands has the same approach. For example, following one of its policies concerning governmental decision making, an explanatory paragraph was provided:

3.26n. Ensure that public funds for rehabilitation are not used to the detriment of private or public resources.

The City receives Community Development Block Grant (CDBG) funds and other federal and state funds. Although these have not been used for rehabilitation, they could be, and it is possible that Redlands might obtain funding for rehab in the future.

(Redlands General Plan, City Design and Preservation Element, 1995). These simple and concise explanatory paragraphs immediately following the description of the programs provide the necessary information that allows the reader to understand why the program is being considered. This type of format is particularly useful, given the complexity of issues related to historic preservation.

Language

The type of language used can also matter a great deal. A direct unequivocal action word such as “*shall*” will indicate a higher level of commitment of the legislative body to a particular course of action. Whereas using a more permissive and less rigid directive such as the word “*should*” suggests the policy or action is voluntary or will be “honored in the absence of compelling or contravening considerations”. (see Sacramento Preservation Element §10-50). Such distinctions can mean very different outcomes for historic resources and should be carefully considered before used. Planners should understand that the more direct and mandatory the language the higher the level of protection and the weaker or less directive the language, while affording flexibility, provides less protection to historic resources.

A hypothetical example of how words can change the outcome may be useful. In City A the residential historic residential neighborhoods are adjacent to the downtown and local business district, which has a few tall buildings. City A is seeking to bring more people to live and work downtown, to prevent sprawl and to enliven the downtown area after business hours. The City wants to increase densities and provide for economic development. Three proposals for language are made for the Preservation Element concerning height limits on buildings in the downtown core. The first proposes a straight ten-story height limit regardless of location within the downtown. This leaves the adjacent historic neighborhood vulnerable to inappropriate development.²⁰ Unfortunately, the second proposal contains a more common and less effective type language. It states that the city “shall consider” limiting building heights in the downtown core near historic residential areas. Such language gives some guidance, but provides no real protection to the historic neighborhoods. This approach may also

²⁰ Even if the General Plan has language concerning “compatibility”, this is often constrained to properties within a historic district, not adjacent to a historic district.

provide a false sense of security concerning the historic area and ultimately provides enough “wobble” room for cities to favor a fiscally beneficial project over the maintenance of the historic neighborhood’s setting. Finally, the third proposal is more prescriptive requiring that the tallest buildings be located centrally. It directs commercial and mixed uses to the center. The proposal further contains directive language that the city “*shall* limit building heights” of properties adjacent to and surrounding historic residential districts or structures²¹. This type of approach recognizes the downtown “edges” and that overly tall commercial buildings can negatively impact neighboring historic residential areas. This language should also preempt a future conflict and provides the most protection. These types of considerations are typical and demonstrate why fully and directly addressing these issues on the front end is better than waiting until a ten story office building is proposed on a property adjacent to a historic residential neighborhood with two story buildings.

With these considerations in mind, there are three basis components every plan should contain regardless of the where in the process the city is in historic preservation: 1) the *foundation*; 2) the process of *identification, designation and regulation* of historic resources; and 3) *institutional support* considerations. The latter two should describe actions the city will take to support the concomitant goals and policies stated. The remaining chapters will discuss in detail the content and importance of these core components.

²¹ Assuming that the zoning ordinance is modified to be “consistent” with the General Plan, the parcels adjacent to historic residential neighborhoods would be down-zoned to reflect this policy.

Chapter 4

Preservation Planning: The Foundation

Past events are indeed relevant to present possibilities. They may explain causes or point to likely outcomes. Or they give a sense of proportion to help us bear our present difficulties.

-Kevin Lynch

No preservation plan will be complete or as effective without a comprehensive foundation. The foundation for all preservation activities has five basis parts: city history, including past preservation efforts; a listing and description of known historic resources, sites and districts; a description of the element's purpose; the legal basis and context of the element; and the benefits of historic preservation to the community. All preservation activities flow from this foundation. The foundation provides the context for historic preservation in the first instance.

City History and Past Preservation Efforts

The primary component of the foundation for all preservation activities is a description the city's history. This can include the city's pre-history (archaeological and pale ontological), its California history (both pre and post -U.S. annexation), its urban design²² and its unique architectural character. It should describe significant events, dates, people, architectural styles, neighborhoods, streetscapes, landscapes and natural resources which are important to the community. (White 1994, 5-6). The scope is as broad as the city's history itself. However, the focus of the city's history in the *preservation element* should relate to the existing historic resources. The description should inform the reader why the community is unique and how it is set apart from other cities. No other section can be more effective in persuading the community and civic leaders the value of preservation than a complete description of the city's history and heritage. After all, it is the city's history that forms the basis of all preservation. To relegate the city's history to an unpublished and undistributed background report undermines the rationale for preservation in the first instance.

²² In this context urban design may mean how the built environment is arranged. The section could describe the relationship of buildings to the landscape, to one another, the height of buildings, rhythm of spacing between buildings, lot coverage, textures, facades, building shapes, scale, color, and common architectural vernacular. (White 1994, 6).

The description of city history should also include a description of past and current preservation efforts. By describing these efforts, community and civic leaders can understand city’s past commitment to preservation. Through this section, civic leaders can come to understand that desired and optimal outcomes are best achieved through planning and action. A summary of past preservation efforts will also serve a context for future action. (White, 1994, 6). It will provide for continuity when planning commissions and city councils change, as the inevitably do. It can “provide guidance to future generations concerning why the preservation program is structured the way it is in the community.” (Id.).

Having a description of how preservation efforts have occurred in the past will also help set expectations for future actions. How conflicts were resolved in the past will establish positive precedence and can prevent allegations of unfairness in subsequent disputes, if any. Like history itself, past preservation efforts will provide guidance for the future. Mistakes can be addressed and strengths built upon.

Description of Known Historic Resources

Part and parcel to history is a description of the city’s known historic resources, whether they are buildings, districts, trees, landscapes or street lamps. While not the



Tree lined historic district in South Pasadena

survey itself, the plan should provide some accounting of the historic resources designated on the national, state or local registers. It should provide some photographs and maps showing the location of the resources. It allows the community an opportunity to observe and enjoy them. This also demonstrates the city’s current

knowledge of its own history and identifies sensitive areas under consideration in the current plan.

The plan may also discuss sites eligible for the state or national registers, but that have not been designated²³. These sites may benefit under the plan or be subject to provisions of city's preservation ordinance. If the listing of eligible sites is unwieldy, a description of the areas where eligible sites are known, should be described. This will at a minimum provide some notice to property owners of possible future designation and application of the provisions within the preservation ordinance.

Purpose of the Element

While it seems unnecessary, describing why the element has been adopted should be part of the foundation. The statement can be simple, but it should explain why the city is taking the extra step in developing a preservation element (discussed *supra*) and why the city is adopting a preservation plan. Overall, there are three basic reasons for having a preservation plan (whether as a separate element or one included in some other part of the general plan): 1) the identification, designation, protection and preservation of local significant historic, archaeological and cultural sites, landmarks, buildings, districts and landscapes; 2) to guide new development, as well as the rehabilitation or adaptive reuse of historic and cultural resources; and 3) to contribute to the economic development and vitality of the locality. (Growing Smart, 2002, 7-0173). It may include a description of lost historic resources, pressures of growth and the sameness of sprawl. The impetus for the element is important. And as seen *supra*, when done well, the eloquence of the description can inspire. The purpose of the element should tie the program to follow to the purpose of historic preservation.



Victorian home converted to law offices: Adaptive Reuse in Ukiah

Benefits of Preservation

Second only to the city's history in importance as foundation, is a discussion of the benefits of historic preservation. This section should describe not only the intrinsic

²³ As will be discussed *infra*, because in most instances consent of the owner is required for actual listing of individual structures on the National and State Registers, the protections and regulations provided within a typical preservation ordinance will include historic resources listed on the registers and those that are "eligible" for listing as well. Designation and eligibility for designation on local historic registers cannot be generalized in this regard, however.

benefits but the practical benefits, as well. The section should continue to inspire preservation-minded citizens and leaders, but also persuade non-preservationists of the value of historic preservation. Education concerning preservation often begins with an understanding of the benefits. Many cities with elements understand this component. For example, Napa's element briefly but persuasively explains why preservation is important to the city:

“When historic buildings are demolished, the fabric of the city is damaged. Saving old buildings and historic neighborhoods makes sense for a variety of reasons. From an economic perspective, restoration provides skilled jobs for local builders and income for local suppliers and businesses. Heritage tourism provides jobs in the service sector and supports tourist commercial businesses envisioned for the downtown. From an environmental perspective, restoration and reuse of materials reduce the materials going to landfills and also lessen the depletion of raw materials such as timber. From a social perspective, preservation of historic neighborhoods contributes to diversity of our community and provides a variety of housing to satisfy a wide range of income levels at different stages of life. “

(Napa General Plan; Historic Preservation Element, 1998: 6-1). Small cities like Azusa also see the *intangible* benefits clearly:

“Community identity instills pride in residents, and increases their interest in local affairs. In a day when many cities in the Southern California region seem the same, landmarks offer uniqueness. Historical landmarks reinforce or establish the identity of a community. Landmarks challenge us by illustrating earlier achievements made despite great odds. The skill, innovation and pride should in many early landmarks serve a stimulus for quality today”.

It acknowledges also the *practical* benefits:

“More specifically, the benefits associated with historical preservation are cultural, planning and economic. * * * In this “post-Proposition 13” era of austerity, budgets, recession and inflation, it may be in order to dwell on the economic benefits: Tourism, Employment, Tax Incentives, Property Values, Retail Sales and Commercial Rents, Replacement Costs (*sustainability*) and Tax Revenue...”(detailed description of each omitted).

(Azusa General Plan, Historic Preservation Element 1983:XI-28, 29).

Not all citizens or decision makers will necessarily understand or appreciate the intrinsic value of preservation, but the practical and economic benefits can be understood. Thus it is important to provide a thorough description of those benefits to engage and otherwise persuade those citizens and decision makers on a different level. Because

preservation is becoming more and more mainstream, there is a significant body of literature available to planners describing the more tangible benefits of preservation.

Legal Basis and Context for Preservation (Local, State and Federal)

The element should provide a brief overview of the local, state and federal regulations governing and providing context for historic preservation. The descriptions should assist cities when their authority is legally challenged. Moreover, it will provide a framework for the mechanisms by which historic properties are protected.

Local

This section should describe how the city derives its authority to regulate. The city should identify its preservation ordinance, if already enacted. If the ordinance establishes a cultural heritage or historic resource commission, a local register of historic resources, designation of specific districts, a design review process and a demolition and alteration procedure, these key provisions should be identified and described. If the city intends to adopt a preservation ordinance, the basic provisions of the ordinance should be described as well as the benefits that will be derived from the ordinance.

State

The element should describe the state enabling statutes, which grant local legislative bodies the authority for most of their municipal functions, including the regulation of land use and the protection of historic resources. A description of the California Government Code, which enables city legislative bodies “to provide for the protection, enhancement, perpetuation, or use of places, sites, buildings, structures, works of art and other objects having special character or aesthetic interest or value”, will help educate citizens and civic leaders as to city authority. If the city is a participant or if the city is considering application for CLG status and because of the significant advantages to cities, the element should describe the Certified Local Government (“CLG”) program, which is actually a federal program administered by the state.

Because of its important function in preserving historic resources, the element should also at least briefly describe the California Environmental Quality Act (“CEQA”). (Public Resources Code 21000, et seq.). CEQA is a parallel regulatory process to the preservation ordinance intended to inform decision makers and the public of the potential significant environmental impacts of proposed development projects. “Projects” which

may cause a substantial adverse change in the significance of a historic resource or archaeological sites are subject to the provisions of CEQA. A “historic resource” under CEQA is one listed in the California Register²⁴ or “determined to be eligible for listing in” the California Register²⁵. Historic resources listed in the city’s local register may also be considered “historic resources” under CEQA. “Substantial adverse change” has been defined as demolition, destruction, relocation, or alteration which would impair the significance of an [sic] historical resource.” (Id.) The real kicker, however, is that for private projects only discretionary actions of the approving agency are “projects’ subject to CEQA. Therefore, any element that attempts to describe CEQA ought to provide distinctions between discretionary actions and ministerial actions²⁶. All projects undertaken by a public agency are subject to CEQA.

Obviously CEQA is a legal web and information concerning its connection to the regulatory activities concerning historic resources is too broad and complex to discuss fully in a preservation element. Yet the element can describe the CEQA process generally and the standards that will be imposed under it essentially to alert readers, planners and civic leaders alike as to the tremendous tool it can be in protecting historic resources.

This “legal” section could also provide definitions under CEQA and a summary of how CEQA would apply to the various types of projects, which involve historic resources. It could describe projects that involve maintenance and repair, rehabilitation, adaptive reuse, major alterations, additions, relocation and demolition. For example, the city of Glendora provides a comprehensive description of the CEQA process including a matrix of actions that prompt discretionary approval versus ministerial approval. Descriptions of the different standards precede the matrix.

²⁴ Because all historic resources listed or eligible for listing in the National Register are automatically listed in the California Register, CEQA does not specifically address National Register sites for inclusion.

²⁵ The fact that a historic resource is not listed or determined to be eligible does not preclude the lead agency (in CEQA) from determining whether the resource is a “historic resource” under CEQA.

²⁶ A discretionary act is one that requires the exercise of judgment or deliberation when the public agency or public body decides to approve or disapprove a particular activity. A ministerial act is a “governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. Thus, one significant component of the preservation ordinance is to put into place regulations concerning alteration, demolition and compatible uses that are “discretionary” so that CEQA can be applied.

Regardless of the depth of information in the element itself, the city should emphasize the City's commitment to use CEQA in the protection of historic resources. The State Office of Historic Preservation has published technical assistance bulletins specifically dedicated to CEQA and historic resources. Likewise, the California Preservation Foundation has published guide to CEQA called "A Preservationists Guide to the California Environmental Quality Act" and has held programs tailored to the application of CEQA to historic resources. These sources should provide planners with basic information concerning the usefulness of CEQA in protecting historic resources.

The State also administers the California Register of Historical Resources, California Registered Historical Landmarks and California Points of Historical Interest Programs. The element could also describe the criteria for eligibility and the implications of eligibility.

Federal

The element should describe at least briefly federal laws implicated in historic preservation, including the National Historic Preservation Act ("NHPA") and the 1980 Amendments. The NHPA established the National Register for Historic Places program (and criteria), authorized pass-through funding for state programs, created the State Historic Preservation Officers ("SHPO") and programs, established Section 106 review which is designed to protect historic resources from the impacts of federal projects or federally funded projects (including Community Development Block Grant programs), and established the Secretary of Interior's Standards for Rehabilitation of Historic Buildings.

The inter-relationship between the federal act with state authority and regulations is significant and should be described as well. For example, NHPA requires that at least ten percent of the funds to the SHPOs must be passed through to Certified Local Governments. CLG status is granted through the SHPO according to specific criteria and is administered by the State. The SHPO also enforces a designation and protection process, has a qualified historic preservation review commission, and maintains a system for surveys and inventories. The California State Resources Commission processes nominations to the National Register. Likewise the State participates in the review process for Section 106 and Tax Act for Certified Rehabilitation projects.

Private Property Rights

Finally, because there will always be public discourse about a private property rights, it would be useful if the element described the balance that cities attempt to strike between private property rights and the government's legitimate interest in preserving historic resources for the public welfare. Several cities have included such language.

The city of Redlands describes the tension:

“Redlands’ Municipal Code gives the City authority to designate without consent of the owner. This authority has been established by the U.S. Supreme Court decision in the Penn-Central case ((1978) and by analogy with land-use law. *The challenge here is to balance preservation goals and the needs of the community as a whole with the need to bring property owners into the preservation process in a positive fashion. Just as a property owner cannot veto zoning restrictions, so historic resource designations are not subject to an owner’s veto.* If the owner can show that preservation of the building is a hardship (not including loss of profit), both the Penn-Central precedent and Redlands’ code allow the possibility of demolition.”

(Redlands General Plan, Preservation Element Description of Historic and Scenic Preservation Ordinance preceding Policies 3.2 et seq, 1995)(emphasis added).

Woodland describes the police powers of local government:

The legal authority for these various actions and programs rest on two essential powers of the local government: *corporate* and *police powers*. * * * Using their police power, local governments regulate the use of property through zoning, subdivision and building regulations in order to promote the health, safety and welfare of the public. The general plan provides the formal and legal framework for the exercise of these powers by local officials.

(Woodland General Plan, Introduction 1996:2). The city of Ukiah describes the balance and evolution of land use regulation as follows:

In the current economic system, it has been accepted that the willingness to assume the risks and responsibilities of ownership brought with it certain privileges. Private property ownership has traditionally meant the owner makes the major decisions about the use, maintenance, occupancy, and the changes to the property. A given owner's decisions regarding his/her property may not have met with the approval of everyone in the community, but the freedom of choice that comes with ownership usually outweighed disapproval. Over time, more and more laws in the form of model codes, local planning ordinances, environmental protection and other regulation began to influence what a private property owner could and could not do with a property. Questions were raised about issues that dealt with the “greater public good”.

Today, one of those “greater public good” issues is the preservation [and] protection of historic resources. There are strongly held opinions on both sides of this issue. * * * As time passed some citizens became aware of the fact that the buildings from the past were becoming fewer. * * * There was a need to create something unique and interesting in the old downtown areas to attract business. * * * The General Plan guiding growth of the Valley for the next twenty years answers important questions regarding historical resources. The General Plan calls for preserving older buildings in a viable condition so that future generations can enjoy them.

(Ukiah General Plan, Historical and Archaeological Resources 1995: 9-10).

While there will always be citizens who believe the government has no right to regulate the use of land, explaining where state police powers are derived should be helpful in helping citizens and even decision-makers understand why there is a public interest in preserving historic resources for all citizens.

Chapter 5

Preservation Planning: The Process of Identification, Designation and Regulation of Historic Resources

The preservation movement has one great curiosity. There is never retrospective controversy or regret.

-John Kenneth Galbraith,

“The Economic and Social Returns of Preservation”.

This chapter describes not only process considerations but also content considerations for inclusion in the Preservation Element. How these considerations are addressed, whether as background information or as goals, policies and implementation actions, will depend on what the city already has in place. For example if the city already has a preservation ordinance, has obtained CLG status and has recently completed a citywide survey, the element may simply describe these activities and set forth in the “goals, policies and implementation” section new considerations and actions. Thus, for ease of discussion the following are topics cities should consider in their preservation plan, but are not necessarily in the format of goals, policies or implementation actions.

Identification and Designation

The process of identification, designation and regulation of historic resources is essentially and necessarily a legal framework that allows cities to protect and preserve historic resources. All regulations and policies concerning preservation stem from a process that identifies and grants a resource status as “historic”. Regulations concerning alteration, demolition, the impacts and compatibility of surrounding uses, and the availability of financial incentives all apply to resources that have attained historic status. It is the natural point of origin of all regulatory activities.



Thus, all preservation planning first emanates from the identification and the designation process. Through the plan, the city then defines the values of the historic resources and establishes the principles for protecting them. (Kelly, 2000, 330). The city of Santa Monica provides a cogent explanation of the linkage between identification, designation and regulations to protect the resources:

Federal, state and local regulations that protect historic and cultural resources are based on identification and designation. * * * Protection of historic resources is closely connected to designation. Without a survey update that provides a comprehensive analysis of the effects of demolitions and other changes over the past fifteen years...(Goal 4, issue description).

(Santa Monica General Plan, Historic Preservation Element 2002 (Draft): 33).

Because the process is somewhat complicated and is made even more complex by the addition of CEQA into the mix, the element should cogently explain the linkage between these processes. And since the identification/designation/regulation is a legal process and often involves the regulation of private property rights, some conflicts are inevitable. However, because of the foundation laid early in the element and because preservation planning includes many support considerations, conflicts can be reduced.²⁷

Survey and Inventory

The element should provide for a vehicle for ensuring that all potential historic resources are identified and considered for designation. *The survey is that vehicle.* The survey is the cornerstone of any historic preservation program. “The survey is the method used by preservationists to identify and gather data on a community’s historic resources.” (White, 1994: 7). Conducted primarily by planners, architects, architectural historians and city historians, the survey includes background research, a field survey, the physical search for and recording of historic resources on the ground, organization and presentation of survey data as the survey proceeds and the development of the inventory. Often cities will use the terms “survey” and “inventory” interchangeably. Yet, the inventory is the actual end product of the survey. The inventory is compilation of data on

²⁷ Not surprisingly, 68% of planners responding to the survey question indicated that conflicts concerning the preservation of historic resources have been reduced since the adoption of the element. This is not conclusive proof that having an element will eliminate conflict. Rather this indicates that having a more comprehensive and multi-front approach to preservation planning which includes the education of citizens and promotion of historic preservation should help reduce uncertainty and, ultimately, conflict.

the properties which have been professionally surveyed and found to be significant or potentially significant under federal, state and/or local register standards.

The thrust, then, of any plan is to focus the goals, policies and implementation actions on the specific universe of resources identified in the survey. (Id.) And while the number of resources inevitably varies from city to city and may depend largely on the size of the city, the survey process should be continuously evolving and a standard ongoing component in any preservation element.

To be effective and withstand legal challenge, it is important that the process of surveying be comprehensive and systematic²⁸. This does not mean that the entire city must be surveyed at one time. Rather, the survey should be tailored to be a thorough analysis of the universe being surveyed. Surveys can be limited thematically to geographic areas, political districts, age or eras, architectural styles or themes, or structures that are most endangered. (White, 1994, 9). Rarely do cities have the resources to survey all themes at one time and most survey over the course numerous planning periods. Likewise, even if a citywide survey is completed, *the survey must be updated regularly*, to document changes, add structures or resources that have become more important to the community and to delete those resources that have been eliminated or have been altered in such a manner as to lose their historic character. Because of the nature of “time” a city’s survey will never be complete. Cities that understand this evolutionary process continually survey and allocate funds for this process. This cannot be overstated. Nearly every preservation activity emanates from the survey. As one preservationist put it, “survey, survey, survey: a city is never done surveying”.

One of the benefits of obtaining Certified Local Government (CLG) status is the availability of pass-through federal grant funding for surveying. Cities that survey continuously, have availed themselves with CLG funding to hire outside consultants for surveying. This accomplishes two purposes: the professional survey itself and the freeing

²⁸ A excellent general guide to preparing and undertaking a survey is National Register Bulletin 24: *Guidelines for Local Survey: A Basis for Preservation Planning* published by the National Park Service in 1970 and updated in 1985. Moreover, the State Office of Historic Preservation has numerous bulletins and advisory materials to assist cities in conducting surveys and making application for National and State Registers. See, www.cr.nps.gov/nr/publications/bulletins and www.ohp.parks.ca.gov. for additional information.

up of staff for other preservation and planning activities²⁹. To be CLG eligible, cities must have a surveying system in place, which is coordinated with the State's statewide inventory program, use state-approved inventory forms and evaluative criteria consistent with the National Register, and be consistent with the Secretary of Interior's Standards for Identification and Evaluation. The CLG survey criteria are tailored to the National Register Standards and therefore are not overly burdensome in this regard.

Designation

Part and parcel to the survey is the actual designation of historic resources to the National, State and, if existing, the Local registers³⁰. All the national and state registers use basic criteria relating to a resource's place in important events or patterns of development, association with personages, architectural significance and/or information concerning the prehistory of the area. For the National and State Registers, designation is in and of itself largely honorific and carries no inherent restrictions. However, actual designation *and*, in some instances eligibility for designation as a historic site, can trigger application of a local preservation ordinance and CEQA; this particularly true with regard to local designations and resources eligible for local designation. According to specific criteria set forth by the city in its preservation ordinance, restrictions may be imposed on "historic properties" for their protection. Each city will determine what protections and regulations will be imposed on historic resources listed on any or all registers. Which historic resources will be covered by the ordinance should be determined by the policies set forth in the element. Designation is that link.

Likewise, depending on the nature of the action impacting designated sites CEQA may be implicated. Designated resources will also often be eligible for some financial benefits and incentives.

²⁹ Interviews of planners and survey responses all indicate one of the principle problems with preservation planning is the lack of resources. CLG grant monies, while not a panacea for systemic resource problems, certainly would help cities regularly survey. Interestingly, cities can also use Community Development Block Grant ("CDBG") funds for planning surveys as well. The added benefit is that while federal CDBG funds require a local match, CLG funds can be used for the local match.

³⁰ There is the National Historic Landmarks, National Register of Historic Places, California Register of Historical Resources, California Registered Historical Landmarks, and California Points of Historical Interest. For purposes of this report, the California Register of Historical Resources is the most relevant. Unless otherwise stated, citations in this report to the "State Register" refer to the California Register of Historical Resources.

Because of the importance of designation in terms of protections and restrictions, the element should briefly review the criteria for each register. If the city chooses to establish its own register, the criteria for listing should be provided. If the local register is already established, a listing of all locally-registered properties should be provided as well.

Regulation

The Ordinance

Once historic resources are identified and designated (and those considered significant by the city and eligible for the State or Local Registers), the city can directly regulate actions that may adversely affect historic properties through a preservation ordinance. A preservation ordinance is the primary mechanism to actually regulate and provide legal protection for historic resources.³¹ However, the element should guide the scope and content of the ordinance. The level of specificity in the ordinance depends on what the city wants to accomplish in preservation as described in the element.

Because most protection of historic resources comes directly from ordinance, the element should describe the basic content of the ordinance. If the city has not yet enacted a preservation ordinance, the element may propose one or provide the groundwork for one through the various issues it is trying to address. Most preservation ordinances have three component parts: creation of a commission; the designation process; and a process to review alterations, demolition and other actions that may impact historic resources. Through these three components most historic resources will find some protection.

Ordinarily, the ordinance will establish a preservation commission who is charged with the review of applications to alter or demolish historic resources³². Depending on

³¹ The State Office of Historic Preservation is in the process of producing a local preservation ordinance manual. Thus, this Report will not describe in detail what should be included in an ordinance.

³² In order to obtain CLG status, a city must create an “adequate and qualified historic preservation review commission”. However, some cities have opted to defer creating a separate commission and have delegated regulatory activities directly to the planning commission and city council. Aside from the benefits conferred on cities with CLG status, there are both pros and cons to having a separate preservation commission. By having a preservation commission made up of historians, architects, architectural historians and alike, there is a high degree of expertise that can fully understand and make learned decisions concerning proposals that may impact historic resources. Such a commission can also reach compromises that will protect the integrity of the resource and allow competing actions to go forward. All this can be done within a less political environment where finding what is in the ‘best interest’ of the historic resource is the sole purpose. On the other hand, by delegating the preservation regulatory activities to the planning commission there may be more integrated approach to planning decisions. All projects

the scope of duties, the commission may also review projects (whether new or alterations) of structures within a historic district or in close proximity to historic resources, which may adversely impact the historic resources. The commission may review projects to determine whether the projects are compatible with the historic resource. *The scope of the Commission's duties and authority should be described in the element first.*

With the element as its guide, the preservation ordinance also ordinarily establishes criteria for eligibility to the local register and should delineate the process of designation and eligibility for designation. It should also briefly discuss the State and National registers as well and the basic criteria for inclusion. It should also describe any restrictions applicable to properties listed on the local, state and national registers. Because placement on the national, state or local registers may implicate local preservation regulations, it would be important to review the benefits of placement on the register as well.

Whether there is a commission or the regulatory powers are delegated to the planning commission or city council, the element should also determine the scope of the ordinance and the criteria for evaluating projects affecting historic resources. The ordinance should then contain the procedures for protecting those historic resources and the standards to be applied. This usually entails a design review process (covering alterations to historic resources and the design of adjacent and surrounding uses) and a demolition review process. The process contained in the ordinance should be described in the element.

CEQA

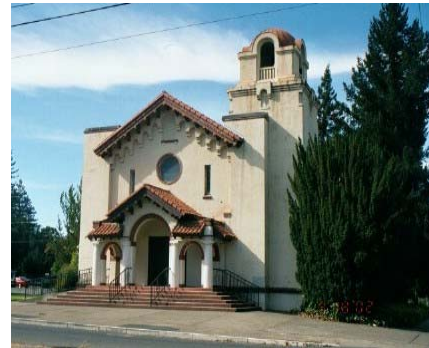
Of course, historic resources may also find some protection under the environmental review procedures in CEQA. As seen *supra*, the application of CEQA to historic resources is quite complex. This Report is not intended to give a complete and thorough description of how CEQA is applied or the many nuances it contains. Rather, this Report is intended to demonstrate how interconnected the various statutes are concerning historic resources. Because of CEQA's complexity it is important that a city

reviewed by a planning commission may impact historic resources and by having them look at all projects there may be a broader more complete view of the entire planning picture. How a city has weighed these considerations may be described in the element.

make the linkage between its regulations affecting historic resources and potential environmental review under CEQA. Once cities have adopted regulations that require discretionary review over projects affecting historic resources, cities should be prepared to use the CEQA process in order to protect those resources.

Demolition

Because it is often the demolition provisions of the preservation ordinance (and then CEQA) that is the last lifeline to the preservation of a historic resource, nearly every existing preservation element addresses demolition. Because of its pivotal role as the last stopgap between existence and non-existence, insuring that the demolition provisions of the ordinance can withstand legal scrutiny is essential. *But it is the element that should set the tone.* For example, in its element Sacramento addresses its demolition policy as follows:



Previously threatened historic church in Ukiah

[t]he City shall regard demolition of historic resources as a last resort, to be permitted only after the City determines that the resource retains no reasonable economic use, that demolition is necessary to protect health, safety, and welfare, or that demolition is necessary to proceed with a new project where the benefits of the new project outweigh the loss of the historic resource.” (Policy B.9); and

[t]he City shall amend its ordinances to allow for the review of demolition permit applications for buildings designated as or potentially eligible for designation as historic structures in order to evaluate and identify alternatives to loss of important historic structures.” (Implementation Program 3.B)

(Sacramento General Plan, Preservation Element 2000: 10-54. 55). The city of Napa addressed demolition and what measures should be taken if demolition cannot be prevented:

[t]he City shall establish procedures and standards whereby properties on the list of architectural and historical resources are provided with alternatives to demolition. Alternatives could include moving the building, public or private purchase, or finding a new use. Should demolition occur, thorough documentation by photographs and measured drawings and salvage of irreplaceable materials should be required as a condition of approval. Expedite permit process that allow for alternatives to demolition of historic properties. (Policy HR-1.G).

(Napa General Plan, Historic Resources Element, 1998: 6-6). The City of Claremont makes the link between designation and demolition:

[t]he City shall ensure that no property listed on the local register or adjacent to a property listed on the local register shall be demolished until all alternatives to saving it have been explored. (Policy 10).

(Claremont General Plan, Historic Preservation Element 1981: II1-7). Ultimately, demolition is the irretrievable failure of any preservation program and so the element should clearly lay the framework and rationale for city policies and laws concerning demolition.

Compatibility and Context

Interestingly, many cities having expanded the scope of their design review process to include new structures and development that directly affect historic resources³³. There are actually two related issues here: compatibility and context. Compatibility addresses structures near and in close proximity to historic resources. New development or alterations to existing historic structure are “compatible” when they which exist in harmony with and are consistent with historic structures. The element policies can address land uses surrounding historic structures to ensure that not only the visual architecture is compatible, but the land use itself is compatible with uses in the historic structures³⁴.

Redlands attempted to address compatibility concerns in the some of its implementation policies:

[the city will] [e]ncourage compatibility of new land uses and new construction adjacent to buildings list on the Inventory of Historical Structures. Construction should be physically and aesthetically complementary to the historic buildings. (Policy 3.24c);

[e]stablish lot sizes for infill development that relate to existing lot sizes nearby. (Policy 3.21i);

[e]stablish guidelines and incentives for appropriate adaptive re-use of historic structures. (Policy 3.21e);

³³ Again, it is important that in most instances, it is designation (or eligibility) on the national state or local registers that will trigger the design review process.

³⁴ Issues concerning compatibility of land uses and competing land uses go hand in hand. How an element can address competing land uses will be discussed *infra*.

[r]ecognize and mitigate the ill effects of the following on historic areas: inappropriate commercial development; inappropriate scale, materials, setbacks and landscaping; interruption of the established street pattern; inadequate street parking, where development off-street parking does not cause loss of historic buildings; and excessive automobile traffic. (Policy 3.211);

[e]ncourage developers to construct new buildings and settings of such quality that preservationists of the future will wish to protect them. Encourage appropriate scale, materials, setbacks, and landscaping to enhance the City's beauty and historic fabric. (Policy 3.24a).

The city of Rialto also addresses compatibility:

[i]n order to ensure compatible land use surrounding historic structures or districts, the City shall issue design guidelines for new or rehabilitated structures which are in close proximity to registered historic structures or districts. (Policy 4.1.6)

(Rialto General Plan, Cultural and Historic Resources Element, 1992; IX-6). Like most cities, the city of Yorba Linda assigned the issue of compatibility to the design review process:

Develop and/or enhance design standards for new construction and landscaping to insure special measures are made for site preservation of historically significant resources and compatibility of new with old. The standards shall encourage the following: compatibility of building design, placement, and scale with adjacent buildings of historical significance [and] emulation of existing character of spaces and setbacks of historical structures so as to maintain the ambient rhythm of the streetscape. (Implementation Program A.7).

(Yorba Linda General Plan, Historic Resources Element, 1993: H-6). The element describes the general standards and leaves to legislative bodies the development of the specific regulations and the application of those regulations to the project. Berkeley essentially does the same in its urban design policies:

[e]nsure that the design review process ensures excellence in design and that new construction and alterations to existing buildings are *compatible* with the best elements of the character of the area (Policy UD-23)(emphasis added); and

[r]egulate new construction and alterations to ensure that they are truly compatible with, and where feasible, reinforce the desirable design characteristics of the particular area. (Policy UD-24).

(Berkeley General Plan, Urban Design and Historic Preservation Element, 2002: 164).

The following is an example of how policies in this element can be useful in protecting historic resources in their setting. In City B, there is street corner of the downtown that currently has three of the corners occupied with early 20th century commercial/retail buildings that have significant architectural detail. Each contains first floor local retail. The second and third floors of the three buildings house some offices, but primarily house small rental apartments. There is off-street parking in front and a small parking lot behind one of the buildings. The downtown is a registered historic district. The fourth corner is an open lot, which has recently been purchased by a developer. The developer intends to build a big-box style retail store and has made application to the City. Because the city has “designated” the area as “historic”, has design review guidelines and the process of reviewing new construction in historic districts is “discretionary”, the city can inform the developer early in the process (at a pre-application meeting for example) its expectations and the tools it will resort to if a proper plan is not presented taking into account compatibility issues with the nearby historic buildings. If an incompatible design is presented, the city can invoke CEQA, citing that the project “significantly negatively impacts” historic resources and require adjustments to the design as mitigation measures or deny the permit altogether. By having “compatibility” addressed in the ordinance with the element as its progenitor, the developer should make accommodations early in the process or pass on the deal altogether.

Another consideration that is slightly different than “compatibility” are policies directed to the “context” of the historic resources. Context refers to addressing the historic resource and its surrounding uses in a manner that preserves the environmental surrounding in which the historic resource originally situated. Context is the historic setting in which historic resources reside. Context also includes the physical features essential to the historic nature of the structure itself³⁵. Compatibility on the other hand,

³⁵ Context is all-important to a historic resource and CEQA recognizes this. CEQA Guidelines provide that a project that demolishes or alters those physical characteristics of a historic resource *that convey its historical significance can be considered to materially impair the resource’s significance* and would require the preparation of an Environmental Impact Report, if the negative impacts could not be mitigated or eliminated. Moreover, a designated site can actually be “de-listed” from historic registers if it is modified in such a manner that its historic nature has been eliminated.

merely insures new development will not detract from or negatively impact a historic resource.

Two examples of how context is addressed may help in understanding this more amorphous concept. In City C, a 1940's gasoline station flanks the edge of the downtown business district. The building has been remarkably untouched since the 1940s and has retained most of its charming characteristics (if anything about a gas station could be considered charming). However, because of the cost of underground tank removal now required by the State, the owner wishes to sell the building to local restaurateur who would like to convert the building into a restaurant, owing to the 1950's "Mel's Drive-In" era. Because the property is eligible for listing on the State and Local registers of historic landmarks, the Heritage Commission will first review the remodel plans. The City encourages adaptive re-use for historic structures in lieu of demolition, but also wants to insure historic structures are preserved within their historical context. Unrelated to preservation regulations, the city ordinarily requires restaurants to have significant landscaping around the building and would require the restaurateur to provide plans in accordance with the landscaping policy. However, because the landscaping essentially will destroy the "drive-through" section of the station a "context" issue arises. To avoid destroying the historic setting of the station, the city, armed with the element policy that "context" be preserved if possible, waives the landscape requirement so that the provisions of the design guidelines relating to "context" can be met.



Ripe for development: A boarded up train depot in Ukiah

In City D, an old train depot sits adjacent to railroad tracks that carry passenger trains five times daily, but trains do not stop at the old depot. The building itself is in disrepair, but still retains its strong historic character and architectural elements. The depot is eligible for the State and local registers and therefore subject to the design guidelines in the local preservation ordinance. The preservation element mandated that design review standards "shall consider context when approving alterations to existing historic structures". The owners of the depot would like to convert the spacious building into a restaurant and build a sound wall adjacent to the depot so that the noise generated

each time the train passes by will be mitigated. However, the sound wall would physically separate the depot from the tracks, causing the depot to lose the historic context in which it was originally situated. This scenario presents a difficult dilemma for the Heritage Commission and City Council. The depot's context is important to retain because without a view of the railroad tracks, the depot will appear somewhat lost and out of place. And yet without the sound wall, the new use proposed is unworkable because of the significant noise generated by the trains. The City also encourages adaptive re-use of historic buildings, especially when adaptive re-use is the last chance before demolition or abandonment. Herein lies a typical planning problem. There two compelling policies and the Heritage Commission and ultimately the City Council will have to choose between them. Because "context" is a consideration in the design guidelines, the developer will have to explore ways to protect the context. Before the Heritage Commission allows the walls, all avenues of compromise must be explored. Had "context" not been a design consideration, there would be little motivation on the part of the developer to seek a creative solution. Because of the "process" and guidelines, creative solutions may emerge that will satisfy both policies. Ultimately the city may agree to the sound wall in order to protect the depot itself from further deterioration and allow for the adaptive re-use. Contextual considerations may not always succeed, but at a minimum the city in its interaction with the developer will be at least required to address the issue.

Competing Land Uses

While difficult to envision in many instances, several preservation elements attempt to describe potentially competing land uses that may affect historic resources. While not all competing land uses can be anticipated, addressing in concept typical scenarios should be useful to a decision-maker if and when the issues arise. It is unlikely that a city can prioritize uses in the abstract, but through the element preservation concerns can be identified so that when competing uses are proposed, the needs of preservation are already at the table of discussion. Most cities attempt to balance the competing concerns, without sacrificing the historic resource or its context.

Addressing competing land use concerns before issues arise can be difficult and more importantly can actually make the decision-making process harder for civic leaders.

And while one would like to think “planning” will answer all questions ahead of time to make decisions easy, the preservation element is intended to insure that civic leaders have all relevant information including the impacts on historic resources at the outset of the decision making process. Would it be easier to only know one option while making a decision? Probably. Is that the best way to insure that the existence and protection of historic resources are considered in that decision making process? Probably not.

Cities acknowledge the multitude of land uses that might conflict with their historic resources and many have addressed them in their preservation elements, some acknowledging development pressures and traffic concerns. A simple statement can show a city’s concern. In Whittier, for example, the introductory statement in its element states that the goals and policies are written precisely to avoid the conflicts between preservation and other competing adverse concerns. It states:

[the] Goals and Policies in the Historic Resources Element provide needed direction in balancing development pressures with preservation efforts. (Introduction section 9).

(Whittier General Plan, Historic Resources Element, 1993:9-1). Likewise, in its element, Claremont states its broad policy:

The City shall recognize the fragile nature of the historic residential areas and shall protect residential areas from unnecessary traffic and encroaching commercial development by pursuing policies of street management to ensure continued neighborhood quality. (Neighborhood Livability Policy 4).

(Claremont General Plan, Historic Preservation Element 1981: 11/1-6). The same concerns occurred in Pacific Grove whose policy states:

Use the planning and review process to assure that historic residential areas * * * are maintained as cohesive, healthy neighborhoods. *The City recognizes the fragile nature of these areas and wants to protect them from traffic intrusion and commercial development.* (Program K, Policy 9).

(Pacific Grove General Plan, Historic and Archaeological Resources Element, 1994: 127). And cities like Berkeley narrowed its policies to make clear the reception developers will face when attempting to encroach on historic resources. Berkeley has adopted the following policies:

Actively expand the inventory of historic and cultural resources, *with particular attention to areas where development pressure is expected*, and make the

inventory results prominently available to citizens and potential developers. (Policy Action UD-4) (emphasis added); and

Use City incentives and zoning provisions to direct new development toward locations where significant historic structures or structures contributing to the character of the area will not need to be removed. (Policy UD-21).

(Berkeley General Plan, Urban Design and Preservation Element, 2002:160, 164).

Clearly, Berkeley is attempting to avoid conflicts between historic resource preservation and new development. The policies are intended to make developers aware that historic resources are off limits and that new development is considered appropriate (and will receive incentives) only where historic resources will not be negatively impacted.

Berkeley is attempting to preempt the entire conflict altogether through these policies.

But not all competing land uses are naturally “adverse” but nonetheless create challenges for local government. A

hypothetical example might be useful here.

Through a series of unrelated events, City F comes into possession of a small abandoned non-functioning Spanish-Revival church³⁶ located in poor area of the city where crime and juvenile delinquency are among the

highest in the city. The preservationists believe the building is historic and would probably be eligible for the local register of



Iglesia De Dios Church Building in Redlands

historic places, but has not yet been designated. The building is fairly unremarkable and has had some modern alterations, however. On the opposite side of the equation, a civic community group would like to demolish the church to make room for a community center annex geared toward kids, and specifically for after-school programs. The community group believes that such programs will help with the juvenile delinquency and crime issues in the neighborhood. The City has entered into an agreement to give the property to the community for their use, but will not fund the capital expenses. A problem arises because the building as currently configured cannot be used as a youth

³⁶Because the facility is no longer being used or operated by a religious organization, CDBG funds could be used for the renovation of the building.

community center. Attempts to adapt the building to meet the needs of the community center have failed and the community group wants to demolish the building to construct a new facility to meet their needs. The community group does not have sufficient funds to continue exploring adaptive reuse scenarios.

Thus, a classic confrontation now is at hand. There are two compelling land uses competing for the site and compromise cannot be reached. The city council may indeed decide that the historic value of the church does not outweigh the importance of a youth community center in this at-risk community. Yet it is critical that the city council considers and weighs those concerns at the outset. If the building had been on the National Register and a high quality specimen of early Spanish Revival architecture the outcome might very well be different. What is important here, however, is that by putting the project through a process within the confines of the ordinance and CEQA, all avenues for adaptive reuse could be explored and a compromise possibly reached that satisfied both groups' agendas.

Another example shows how the element can predict the process positively. In



Historic District in Redlands

City F there is a residential historic district on the periphery of the central business district. The historic district is on the state and local registers and is clearly defined physically. The district is comprised of quaint single-family bungalows. There are many children in the area because of a local park and the homes tend to be smaller “starter” type homes. The streets have minimal traffic. Recently, a business

organization sought to develop a community arts center on an open lot adjacent to the historic district. While the scale of the project was compatible in terms of massing, height and overall design, the plans provided for the garage to exit in the rear of the building onto the local neighborhood street rather than the secondary arterial in front. This design would essentially place all the art center traffic onto the local residential street. Because the center was to accommodate four to five hundred patrons regularly,

the homeowners in the historic district objected to the project's design and the negative impact traffic expected by the center would have on their residential neighborhood. Here, because the Center was subject to the city's discretionary design review process, the project would be subject to CEQA³⁷. Moreover, the city had preemptively addressed the issue within the preservation element by stating that it was city policy "to ensure the compatibility of uses and design for structures adjacent to historic buildings and districts". The City was in a strong position to require the developers to modify their project in such manner as to eliminate or reduce the negative impacts of the garage entrance on the local streets. The preservation element did not identify any specific competing land uses, but addressed the importance of protecting historic resources through compatible adjacent uses. Here, unlike the previous example, the ordinance process (backed by the preservation element policy) and the CEQA process, allowed the parties to address the offending design feature in a way that satisfies both concerns. Without the element, ordinance or CEQA the community center could have easily gone forward with the original design and forced heavy traffic into a residential historic neighborhood destroying the ambience the district contained.

There are some competing land uses that could be addressed more specifically. Identification and prioritization of land use concerns can help reduce conflict in the future. Once such issue is affordable housing. Unfortunately, there is in some communities a public perception that preservation is for the well-to-do and that with preservation comes gentrification and displacement.³⁸ The element can reassure the

³⁷ It is also important to note that identification of the conflict was critical. Because the arts center was not *within* the historic district, the impacts to the historic neighborhood could have easily been overlooked in the permitting process. Cities should not exclusively rely on individual planners to "know" when a project may impact a historic site from memory or knowledge of the city. Here the front desk at the planning department contained current maps identifying the location of the districts, a requirement in its application that the developer identify the project's proximity to known listed historic resources and the city's database in the computer system flagged the project because of its proximity to historic resources. The city also had noticing requirements of all structures within 200 feet of the proposed project. The latter requirement does not provide assurance that the impacts of a project on resources will be known. The city should not rely on property owners alone to insure protection in the permitting process.

³⁸ The Comprehensive Statewide Historic Preservation Plan acknowledges that historic preservation is "frequently viewed as a very narrow and even "elitist" sector of public policy that may be in conflict with the objectives of natural resources conservation" and is still viewed as a "vehicle for 'gentrification' of less affluent neighborhoods and communities". (Statewide Plan at 9). Yet, the purpose of integrating preservation into the general plan will in part thrust the issues into the broader public policy arena and more evenly impact land-use planning decision-making. It is strongly believed at the state level that preservation can "contribute to the resolution of land use planning and related socioeconomic issues in California" and

community that preservation and affordable housing are not mutually exclusive. For example, the city of Ukiah has tried to preemptively address future potential conflicts between affordable housing and preservation³⁹. The city states as policy that it will attempt to:

[b]alance the need to rehabilitate affordable housing with maintaining historic character. (Policy HA. 1.4).

And as its implementation measure the city will:

[s]eek public funds for affordable housing to be used for repairs and remodels that maintain the historic fabric of homes, other structures , or sites.

(Ukiah General Plan, Historic and Archaeological Resources Element 1995: 4). In

Redlands, the policy is simple: the city will:

[c]oordinate preservation of historic resources with policies designed to preserve affordable housing. (Policy 3.20g).;

[w]ork toward preventing the displacement of elderly and lower-income people from their homes in historic areas. (Policy 3.26j); and

[s]eek and promote the use of funding sources to establish low-interest loans or grants for rehabilitation in low-income historic neighborhoods and for maintenance of older citrus groves. (Policy 3.26K).

(Redlands General Plan, City Design and Historic Preservation Element, 1995). The city of Woodland goes farther by proactively and positively connecting preservation and low-income residents. It states:

The City shall consider waiving building permit fees and/or providing other appropriate incentives for owners of small properties with historic significance who are unable to benefit from other government programs for historic preservation and for historic preservation projects that provide low-income housing or essential city services. (Policy 6.B.4); and

The City shall seek the assistance of the Redevelopment Agency and/or local lending institutions to provide below-market rate financing to private property owners for the rehabilitation and restoration of historically significant structures, and to encourage home ownership in downtown neighborhoods. (Policy 6.B.5); and

that one way to integrate preservation into civic decisions is through comprehensive preservation plans within cities' general plans.

³⁹ Interestingly, preservationists in Ukiah indicated that affordable housing was actually *not* an issue in relation to preservation currently, but wanted to address the potential conflict somewhat preemptively.

The City shall continue to make available housing rehabilitation loans to low-income residents in historic neighborhoods through the use of grants and outside funding. (Policy 6.C.5).

(Woodland General Plan, Historic Preservation Element 1996: 6-4). Ultimately, to debunk the perception that preservation is an exclusive land use, cities must include affordable housing and low-income residents in preservation activities, and take specific measures to insure that displacement does not occur and that resources are available for preservation activities. And the preservation element can be the first step in that process. Santa Monica understands this and explicitly provides for community outreach:

Ensure that historic preservation planning is culturally inclusive and reflective of the unique background and diversity of neighborhoods in the City. (Implementation Objective 1.9) and to do this:

- Make preservation materials available in Spanish and English;
- Historic preservation in each of the neighborhoods of the City; and
- Conduct informational workshops on Develop[ment] and implement an outreach plan. (Policies 1.9.1-3).

(Santa Monica General Plan, Historic Preservation Element 2002:39).

The second competing land use concern, which receives regular attention in existing preservation elements, is traffic and its stepchild, parking. Next to incompatible commercial development, traffic is high on the list of land uses that have negative impacts on historic resources. As seen in our hypothetical City F *supra*, heavy traffic can turn a quiet residential neighborhood into a freeway if not regulated properly. And many cities are cognizant of this problem. For instance, the city of Napa addresses traffic from the get-go:

When planning transportation routes, the city shall seek routes and improvements that recognize and protect historic neighborhoods. (Policy HR1.17)

(Napa General Plan, Historic Resources Element 1996:6-2). In Redlands, the city recognizes the “ill effects” of traffic and has developed implementation policies to protect historic resources from such effects:

Recognize and mitigate the ill effects of the following on historic areas: * * * interruption of the established street pattern; inadequate parking, where development of off-street parking does not cause loss of historic buildings; and automobile traffic. (Implementation Policy 3.211);

Pursue policies of street management to control traffic in such areas, because historic areas are especially vulnerable when threatened by too much traffic. (Implementation Policy 3.21o); and

Consider noise, traffic, and residential privacy when approving non-residential uses in mixed use zones where residential units are dispersed with non-residential buildings. (Implementation Policy 3.23d).

(Redlands General Plan, City Design and Preservation Element 1995).

Planning Integration and Plan Consistency

The most effective process of addressing competing land use concerns and to ensure that other city policies do not conflict with preservation is the integration of preservation into all aspects of planning and insuring consistency amongst other elements of the General Plan. Not surprisingly, the cities with effective preservation programs also understand this. Many cities have specifically addressed the need to integrate preservation into planning and provide specific implementation actions to further this policy. Below are a few examples of how cities have addressed these issues.

In Claremont, the element recognizes the need to integrate preservation principles into the long range planning process:

The City shall incorporate the protection of architectural, historical and archaeological resources in the immediate and long range plan process of both public and private actions throughout the city. (Policy 1).

It then describes for instance, the increasing problems of traffic in historic areas and the need to increase the “livability” in the historic neighborhoods:

The City shall recognize the fragile nature of the historic residential areas and shall protect these residential areas from unnecessary traffic and encroaching commercial development by pursuing policies of street management to ensure continued historic neighborhood quality. (Policy 4).

(Claremont General Plan, Historic Preservation Element 1981; II/1-5, 1-6). The element recognizes that these issues must be addressed in the Land Use and Circulation policies of the general plan.

The City of Napa addresses competing concerns, how communication amongst departments can be improved and how the city will ensure consistency with other city policies:

-the City shall develop a parcel specific computerized system to make historic inventory data available to each City Department so that actions which might affect historic resources are evaluated appropriately and in a timely manner. (Implementation Program HR.1.C); and

-the City shall review and update the present interdepartmental review processes for projects affecting historic resources. (Implementation Program HR1. I); and

-the City shall conduct a review of City policies, ordinances and programs to insure consistency with historic preservation objectives, making necessary revisions where there is a conflict. (Implementation Program H 1. k).

(Napa General Plan, Historic Resources Element 1996). In Redlands, an entire category of policies are devoted to governmental decision-making including the integration of preservation through-out government processes and a dedicated review of the General Plan and zoning ordinance to insure consistency:

Maintain a preservation program with adequate city staffing and integrate preservation concerns into government decision-making. (Policy 3.26l); and

[c]onsider the effect of proposed amendments to the General Plan and Zoning Ordinance on preservation concerns. Consider amending the Zoning Ordinance to allow historic district overlays and historic building site overlays. (Policy 2.36b).

(Redlands General Plan, City Design and Preservation Element, 1995).

In Santa Monica, the first goal of the preservation element was to develop and implement a *comprehensive* preservation program which includes “integrating historic preservation into the operations of City departments” and to ‘review the consistency of historic preservation policies with zoning and planning regulations and the general plan and update as necessary’. (Santa Monica General Plan, Historic Preservation Element 2002:30). The city understands that “decisions affecting historic resources are made daily throughout City government” and that all departments must be “involved in historic preservation decisions and must coordinate their actions”. (Id.) They also understand that “special attention is required to effectively integrate historic preservation policies with environmental sustainability, rent control and affordable housing goals”. (Id). And to accomplish the integration the city identifies six implementation policies:

-Create and maintain a supportive climate within the City Administration for preservation (1.2.4);

- Incorporate historic preservation into neighborhood planning studies and/or stabilization plans for neighborhood with high rates of housing demolition (1.2.6);
- Encourage communication between City departments regarding programs such as the Heritage Tree Program or similar cultural resources that do not fall under the purview of the Landmarks Commission (1.2.7);
- Evaluate elements of the general plan for consistency with historic preservation policies as elements are updated (1.3.1);
- Ensure that municipal regulations are compatible with preservation (1.3.2);
- Conduct a study to identify conflicts between specific zoning regulations and the preservation of historic and cultural resources (1.3.3).

(Id. at 38). Riverside takes the same approach. Its first goal in the element is “to use historic preservation principles as an equal component in the planning and development process” (Riverside General Plan, Historic Preservation Plan 2002 (Draft): 22). To implement this goal the city intends to:

[I]n coordination with the General Plan Update, include a statement in the Land Use Element that requires planning decisions to be consistent with the goals and policies of the Historic Preservation Element;

[e]stablish Historic Preservation coordination as a topic to be considered at all City Manager monthly Department Coordination Meetings;

[c]reate a booklet for distribution to the Public Works, Public Utilities, and Development Departments explaining how work under their purview may necessitate Cultural Heritage review; and

[w]ork with the Information Systems staff to create a default layer on GIS so that designated cultural resources and districts appear in some visible but unobtrusive manner when GIS is accessed by Public Works, Public Utilities, and Development.

(Id.).

In Woodland, the city element itself is intended to “develop a more systematic and comprehensive historic preservation program”. (Woodland General Plan, Historic Preservation Element 1996:6-1). And it specifically identifies policies and implementation programs targeted toward planning integration such as:

The City shall coordinate the activities of various City departments and agencies (including the Redevelopment Agency, Public Works Department and Community Development Department), non-profit organizations, and other associations concerning historic preservation to ensure a unified approach to encourage the preservation, protection, and restoration of historic sites, properties, and public works. (Policy 6.D.1).

(Id. at 6-8).

Essentially, to insure complete knowledge of activities that may impact negatively on historic resources in which city government plays a role, it is essential that cities evolve in their preservation activities to this point where preservation is in fact integrated into all aspects of city government. Such systematic integration will provide the greatest assurance that city's resources are protected for the long term.

Chapter 6

Preservation Planning: Institutional Support Considerations

I suppose I could have built something in an industrial park for one-third what I'm spending on restoration. But what would that building be worth in 10 to 15 years?

-Jeff Novak, Chippewa Falls

The following chapter discusses separate considerations that generally support the primary preservation activities of identification, designation and regulation of a community's historic resources. This is not to say that they are not significant or secondary. To the contrary. These considerations are essential to an effective preservation program and can be indispensable to the existence of historic resources. These support components, which may be provided by the city, can also be provided by a host of other institutions both private and public.

Financial Tools and Incentives

Having sufficient financial tools and incentives is absolutely critical to the preservation efforts of every California city. More historic resources are lost because of lack of financial resources than any other reason. Buildings like the Palace Hotel in Ukiah (right) may ultimately be lost, not for lack of a sympathetic owner, but from



Awaiting funds: the Palace Hotel in Ukiah

insufficient funding to even secure it from further deterioration. Thus, it is imperative that the cities investigate and identify in the element all financial tools and incentives available to them and the public for the preservation of historic resources in the community. The element should briefly describe all potential sources including federal, state and local. Federal incentives include the Historic Rehabilitation 20% investment tax credits, conservation easements, affordable housing tax credits, Community Development Block Grants, and federal transportation funding (ISTEA and TEA-21) all that can be used in one way or another for preservation activities. Likewise, the element should describe the California Heritage Fund, the State Mills Act, State Seismic Retrofit Tax Credits, Williamson Act incentives and pass-through grant funding as Certified

Local Government. The element should also describe all local incentive programs such as Façade Improvement programs, Façade Easement charitable donation, redevelopment agency assistance, building permit fee reductions, zero or low interest revolving loans, zoning incentives (i.e. parking requirement reduction/waiver or adaptive reuse allowances) and technical assistance provided by qualified planners. The city may also describe or consider adopting a Transfer of Development Rights (“TDR”) program, which is a planning tool used to redirect development away from historic sites into some other area of town. If such a program is in place, the city should outline the program and its benefits to owners of historic properties and developers alike.

This section should not overlook the substantial incentives available by application of the State Historical Building Code (“SHBC”). (State Historic Building Code § 18950 et seq.). The SHBC is the state adopted building code that can be utilized by cities as a reasonable alternative to the Uniform Building Codes. Such alternative building standards and regulations are intended to facilitate the restoration and preservation of historic structures in such a manner that historic structures do not lose their historic physical characteristics in order to comply with the more modern codes. However, structures ordinarily must be “designated” for the SHBC to be applicable⁴⁰. It should be emphasized in the “benefits of preservation” portion of the element that one of the most significant tangible benefits of designation is the availability of the SHBC for rehabilitation projects.

Finally, part and parcel to listing available financing incentives and tools, should be a description of actions the city will take to explore other new sources or the development of the city’s own financing program. The city should, as part of its responsibilities in insuring that historic resources are protected, conduct its own research on successful financing techniques used by other cities in California, and cities in other states. Moreover, the city should provide technical assistance to private property owners who are faced with financing challenges for the preservation projects and the element can describe these efforts and benefits. Because of its importance to the cause of

⁴⁰ “Designation” under the SHBC significantly broader than “designation” under the various registers. *See* Section 18955.

preservation, this function should be an active on-going component of any preservation plan.

Public Sector Role Model

More often than not, the city itself actually owns the most significant historic structures and resources within the city. A city can demonstrate its commitment to the preservation of historic resources by dedicating its resources to the preservation of city-owned historic structures and other resources. It should set the example and assume “direct responsibility for historic preservation by actively protecting and maintaining its publicly owned resources.” (Riverside General Plan, Historic Preservation Plan, 2002 (Draft), Policy 1.2: 19). Preservation calls for leadership and few efforts will be as greatly appreciated by so many as the civic pride that will occur when a historic jewel of the community is preserved and preserved well.

In the city of Corona, much of the Circle City’s historic downtown was demolished in the days of urban renewal. Yet, its local high school (right) was facing the same fate as many of Corona’s older buildings, when the City



Circle City’s former high school: today the Corona Civic Center

itself opted to take over the building, renovate it and then convert its use to the City’s governmental center. Today, city hall is Corona’s town centerpiece. The unique features that once told of the building’s past as a place of learning, like cast moldings of books and mortar boards on the medallions flanking each side of the building and the initials of the old high school (“CHS”) embedded in the decorative wrought iron over a doorway, still speaks to us. And yet the building now represents the City’s dedication to historic preservation and as citizens come to the civic center, they know of that dedication in real terms.

Education and Awareness

Second to showing the public its dedication to historic preservation, is educating the public and making the civic community aware of its history, of its historic resources and all the benefits of preservation. There is no shortage of creative means of accomplishing this support consideration. Expanding understanding and the appreciation of a city's history is the most positive way to gain more widespread mainstream acceptance of historic preservation. And with acceptance and appreciation conflicts can be reduced.

Nearly every preservation element contains as a goal the increase of public awareness and education. And the number of creative and exciting implementation programs is endless. Below is a sampling of programs slated for implementation by those cities with preservation elements:

- *Public ceremonies and proclamations recognizing private preservation efforts*
- *Elementary and secondary school education programs, including projects having students research particular historic structures*
- *Establishment of a city museum*
- *Institute a local historic plaque program*
- *Informational brochures on walking tours of historic districts, available financial incentives, design review guidelines, technical assistance, listing of qualified historic preservation professions, key information about the regulatory process*
- *Professional videos and local cable access documentaries, zoning and permitting*
- *Self-guided walking tours or scheduled walking tours with city historian*
- *Commemoration of historic buildings*
- *Reenactments of historic events*
- *Description of the various historical societies and preservation organizations*
- *Development of community based endowments and other fundraising activities*
- *Seminars to real estate agents on the location of historic resources and how to promote the benefits of historic preservation.*

For historic preservation to become a mainstream land use activity entitled to parity in the decision-making process increasing public awareness through education is critical. And this may take years. One city reported that it took many years of constant education programs before citizens would come to believe that the city's history and historic preservation was actually important and worth teaching. It was many years of education before city decision makers would focus on the program, rather than arguments of why preservation was important in the first instance.

Education can also include a recitation of those precious historic sites lost to demolition those negatively impacted by inappropriate alteration or surrounding uses. For example, “Before and after” photographs demonstrating real loss is important to the education process.

How a city educates is only limited by its ability be creative. And, exactly how a city goes about doing it is less important that understanding the need to do it. The element should provide for the education of its citizens and with that education the accomplishment of the primary goal of identification, designation and regulation will necessarily become easier.

Staff Training and Technical Assistance

Because the regulation of historic resources is quite complex legally and because the renovation and restoration of historic resources requires expertise to insure appropriateness, the city should seriously consider dedicating at least one staff person (part-time or full-time) to preservation planning. And all planning staff should be provided on-going training so that the city staff can provide be alert to projects that may impact historic resources. Staff should also be trained to provide technical assistance to property owners concerning maintenance, rehabilitation and restoration of private historic resources and application for financial incentives. If adopted, project planners should be trained regarding the Secretary of Interior Standards for Rehabilitation, since projects that comply with those standards are exempted from CEQA.

DataBase/GIS

One mechanism for improving public awareness and addressing competing land use concerns is the development of a database or some other key identification signals with in Geographic Information Systems (“GIS”). Identification of historic resources in the city’s computer system will alert planners and other city staff immediately whether projects may impact those historic resources. Moreover, having an accessible database can also provide additional notice to citizens early on as to historic resources that may be impacted by their proposed actions. An illustration may be useful.

In City G, a citizen sought an over the counter permit to install skylights in the front portion of the roof in his house. The homeowner did not know that his house was within a district considered “eligible” for the state and local registers, but had not been

designated. The city had not installed a computer database that would have alerted the front desk planner that the home was within an eligible historic district, which would ordinarily trigger a review by the local preservation commission for appropriateness. The homeowner received the over-the-counter permit and proceeded to install the skylight. Neighbors to the subject property immediately contacted the city to complain about the construction activity and the “inappropriateness” of installing a skylight in the front of a home in a historic district. The city notified the homeowner to cease and desist the construction activities pending review by the preservation commission. A lengthy and



“Modified” Victorian in Redlands

contentious battle ensued. Ultimately the city council approved the skylight, but not without a tremendous amount of public discourse.

Political capital was lost and the preservation activists were vilified. Could the conflict been avoided altogether if the front desk planner was immediately notified that the property was

within an eligible historic district the moment the address was plugged into the computer?

Maybe. Would the process been less adversarial had the plans for the skylight been reviewed prior to the roof being opened up and construction already underway.

Probably.

Having a active and up-to-date inventory and having historic resources identified within a city computer data base and can alert citizens, planners, city staff and decision makers whether a historic resource is implicated in actions being considered or proposed. The utility of such information can go a long way to identifying potential problems early on and increase the likelihood that accommodations for historic resources can be made.

Chapter 7

Archaeological Resources

Through re-remembering we construct new narratives that underscore mutual obligations, insist upon broad principles of sustainability, require the creation and preservation of those places and experiences that inspire and prove spiritual sustenance and the importance of memory itself.

- Robert R. Archibald

Finally, many cities are expanding the scope of their preservation activities to include planning for the possibility that archeological and pale ontological resources are found. Because this area of preservation is still developing and is complex in and of itself, only general considerations will be discussed here.

First cities should consider the preservation of archeological resources a goal and develop policies that will insure protection of those resources. Ordinarily cities will often identify to staff generally that areas may contain Native American artifacts. To avoid looting, sensitive areas are usually not made available to the public. Yet planners should be alerted to potentially sensitive areas so that when proposed projects come into city for permitting, precautions can be made. The city should state that it would enforce all laws intended to protect pre-history sites, including the federal Native American Graves Protection and Repatriation Act.

With this in mind, plans should consider how the city would respond to development activities within potentially sensitive areas and what mitigation measures will be required. Moreover, the city must consider what actions it will take if artifacts are uncovered during construction activities. Cities should seriously consider the use of experts in the event an area is deemed sensitive or artifacts are discovered. Organizations like the Northwest Information Center of the California Archaeological Inventory at Sonoma State University, is one of the state Regional Information Centers that collects data and can provide information to cities as to where important pre-history artifacts may be found.

Unlike modern historic resources, which can be rather easily identified, the location of archaeological resources is often unknown and the cities policies should reflect this important distinction and identify sensitive areas and provide for the appropriate protection in the event those resources are uncovered.

Conclusion

In order to elevate historic preservation as a legitimate land use concern and insure proper consideration of historic resources when decisions are made, the State of California recommends the adoption of a separate preservation element as part of any general plan. Yet, regardless of whether cities adopt a preservation plan as a separate element or as a component of an existing element to the general plan, cities should understand and communicate in their plan a multi-front program for the preservation and protection of historic resources. A comprehensive preservation plan should contain three basic components: a foundation, an ongoing systematic process for the identification, designation and regulation for the protection and preservation of historic resources; and provide for various programs to support preservation activities.

To provide a thorough understanding of the preservation process, the plan should make the linkage between identification and the protection of historic resources. The plan should provide for the understanding of the legal framework including the use of CEQA as a potential procedure for preservation. The plan should provide for the immersion of preservation into all planning processes.

Having a separate preservation element may not ensure that every historic resource will be saved within the community, nor will it ensure that the community will actually have an active ongoing preservation program. But having a preservation element will set the tone. It can be the plan for the preservation activities and it can bring parity to preservation as a legitimate land use concern at the decision table. The first step to bringing historic preservation into the planning mainstream is integrating it into planning's bible: the General Plan. Having a preservation element legitimizes and can bring parity to the movement through a systematic and comprehensive planning approach. And the preservation element is that vehicle.

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Appendix

Cities with Preservation Elements

As reported to the Governor's Office of Planning and Research

Alameda (online)	Oakdale
Azusa*	Oakland*
Benicia**	Orange, City of*
Berkeley (online)	Pacific Grove*
Biggs	Pacifica*
Brea*	Palm Springs*
Calabasas*	Palo Alto
Carmel	Portola Valley*
Carson**	Rancho Cucamonga*
Claremont*	Redlands *
Colma*	Redwood City
Colusa*	Rialto*
Corona*	Rio Vista
Coronado*	Riverside (Draft)*
Costa Mesa*	Sacramento*
Davis*	San Bernardino
El Cajon*	San Clemente*
Emeryville**	San Jose*
Eureka**	San Juan Bautista*
Fresno	San Juan Capistrano*
Galt*	San Mateo**
Gilroy*	Santa Clara**
Glendale*	Santa Cruz*
Glendora*	Santa Monica (Draft)*
Grass Valley*	Santa Rosa*
Guadalupe*	Sausalito*
Huntington Beach	Sonora*
Indian Wells**	South Pasadena*
La Mesa*	South San Francisco
Laguna Beach	St. Helena
Laguna Hills*	Sunnyvale
Los Altos	Sutter Creek*
Los Angeles	Ukiah*
Los Gatos	Visalia
Loyalton	Whittier*
Mountain View*	Woodland*
Napa*	Yorba Linda*
Newman	

* Provided Preservation Element to the State Office of Historic Preservation for review for this Report. "Online" indicates that the element was obtained on line. ** Indicates that city officials reported to OHP that the city does not in fact have a preservation element. This was not independently confirmed, however.