

Proposed General Plan Update Goals, Policies, and Implementation Actions



Historic Preservation & Archaeology

Item 4.a – October 26, 2009 Task Force Meeting

Historic Preservation

Historic sites and structures provide an educational link to San Jose’s past and foster a sense of place and community identity for San Jose. The preservation of appropriate remnants of a city’s past provides multiple benefits important to the health and progress of the city. Historic resources:

- Are instructive, telling the story of the community’s past;
- Provide a sense of civic identity and unique character;
- Are typically an interesting and pleasing aesthetic in the urban environment;
- Can generate economic advantage for a property or neighborhood;
- Give a community a sense of permanency. A place with a clear past can expect to also have a definite future;
- Once lost, cannot be recovered.

For purposes of this section in the Envision San Jose 2040 General Plan, the following definitions are applicable:

- “Landmark” means City Landmark structure, Contributing Structure in a City Landmark Historic District, structure listed on the National Register of Historic Places and/or the California Register of Historical Resources, a Contributing Structure in a National Register Historic District, or a structure that qualifies for any of the above (candidate), based on the applicable City, State, or National qualification criteria.
- A “Historic District” is a City Landmark or National Register Historic District.
- A “candidate” historic landmark or district is an area in which formal proceedings have begun to designate a structure or area as such or an area which has been surveyed by a qualified consultant and determined to be eligible as a historic landmark or district.

Goal HP1 - Preserve and enhance historic landmarks and districts in order to promote a greater sense of historic awareness and community identity and contribute towards a sense of place.

Policy HP-1.1 Preserve the integrity and fabric of candidate or designated Historic Districts.

Policy HP-1.2 Preserve candidate or designated landmark structures and historic sites wherever feasible, with first priority given to preserving and rehabilitating them for their historic use, second to preserving and rehabilitating them for a new use, or third to rehabilitation and relocation on-site. If the aforementioned options are not feasible, rehabilitate and relocate candidate or designated landmark structures to a new site in an appropriate setting.

- Policy HP-1.3 For landmark structures located within new development areas, including identified Villages and Corridors, incorporate the landmark structures within the new development as a means to create a sense of place, contribute to a vibrant economy, provide a connection to the past, and make more attractive employment, shopping, and residential areas.
- Policy HP-1.4 As applicable, public and private development projects shall conform to the adopted City Council Policy on the Preservation of Historic Landmarks.
- Policy HP-1.5 Areas with a concentration of historically and/or architecturally significant sites or structures should be evaluated and be preserved, if significant, through the creation of Historic Preservation Districts. (San Jose 2020 GP)
- Policy HP-1.6 All modifications to landmark structures shall conform to the Secretary of the Interior's Standards for Treatment of Historic Properties and/or appropriate State of California requirements regarding historic buildings and/or structures, including the California Historical Building Code.
- Policy HP-1.7 New development, alterations, and rehabilitation/remodels within a designated or candidate Historic District shall be designed to be compatible with the character of the Historic District, particularly with regards to scale, massing, and relationship of the proposed new development to the surrounding Historic District. Such development should conform to the applicable standards from the Secretary of the Interior and to applicable historic design guidelines adopted by the City Council. (San Jose 2020 GP, modified)
- Policy HP-1.8 New development, alterations, and rehabilitation/remodels adjacent to a designated or candidate historic landmark or district should be designed to be sensitive to the character of the nearby Historic District or landmark. The development should contribute to the vibrancy of the district. (San Jose 2020 GP, modified)
- Policy HP-1.9 The City's public works projects (street lights, street tree planting, sidewalk design, etc.) should promote, preserve, or enhance the historic character of Historic Districts.
- Policy HP-1.10 Maintain and update an inventory of historic resources in order to promote awareness of these community resources and as a tool to further their preservation. (San Jose 2020 GP, modified) In updating the inventory, the primary focus of City resources should be on the identification of Historic Districts.
- Policy HP-1.11 Develop and encourage public/public and public/private partnerships as a means to support, expand, and promote historic preservation.
- Policy HP-1.12 Foster the rehabilitation of individual buildings and districts of historic significance and utilize a variety of techniques and measures to serve as incentives toward achieving this end. Approaches for implementation of this policy include, among others: permitting flexibility as to the uses allowed to occupy structures of historic or architectural significance; transfer of development rights from designated historic sites; tax relief for designated landmarks and districts; easements; alternative building code provisions for the reuse of historic structures; and such financial incentives as grants, loans, and/or loan guarantees to assist rehabilitation efforts. (San Jose 2020 GP, revised)

- Policy HP-1.13 Advocate for the continuation and appropriate expansion of Federal and State programs which provide tax and other incentives for the rehabilitation of historically or architecturally significant structures. (San Jose 2020 GP, revised)
- Policy HP-1.14 The City shall ensure that City, State, and Federal historic preservation laws, regulations, and codes are implemented, including the California Historical Building Code and State laws, to ensure the adequate protection of historic resources.
- Policy HP-1.15 Promote the preservation, rehabilitation, restoration, and/or reconstruction, as appropriate, of contextual elements (e.g., structures, landscapes, street lamps, street trees, signs) related to historic structures, districts, or areas.
- Policy HP-1.16 Minimize potential impacts to historic and cultural resources by clearly conveying historic preservation goals and policies and by consulting with property owners, land developers, and the building industry early in the development review process.
- Action HP-1.17 Amend Title 13 to specify that a Contributing Structure to a City Historic District is eligible for consideration of a Mills Act contract and to require Historic Preservation Permits and/or Adjustments for applicable modifications to structures/sites in a National Register Historic District.
- Action HP-1.18 Explore establishing a grant program for historic preservation, potentially partnering with Preservation Action Council San Jose, History San Jose, or other organizations.
- Action HP-1.19 To highlight the importance of Historic Districts for the community, identify landmark districts and Conservation Areas on the land use/transportation diagram as Areas of Historic Sensitivity. (GP2020, revised)
- Action HP-1.20 Explore funding options to conduct additional historic surveys to maintain and update the City's inventory of historic resources. As funding permits, identify potential new districts and structures for the inventory by undertaking comprehensive surveys of the City.

Goal HP2 –Preserve and enhance historic structures of lesser significance (i.e. Structures of Merit, Identified Structures, and particularly Historic Conservation Areas) as appropriate, so that they remain as a representation of San Jose's past and contribute to a positive identity for the City's future.

- Policy HP-2.1 Preserve the integrity and enhance the fabric of areas or neighborhoods with a cohesive historic character as a means to maintain a connection between the various structures in the area.
- Policy HP-2.2 New development, alterations, and rehabilitation/remodels in conservation areas should be designed to be compatible with the character of the Conservation Area. In particular, projects should respect character defining elements of the district that give the area its identity, which could vary from area to area and could include density, scale, architectural consistency, architectural variety, landscape, etc.

- Policy HP-2.3 The City shall consider demolition of any structure listed on or eligible for the Historic Resources Inventory only as a last resort, to be permitted only if rehabilitation, re-use on the subject site, and/or relocation of the resource is not feasible; demolition is necessary to protect the health, safety, and welfare of its residents; or the public benefits outweigh the loss of the historic resource.
- Policy HP-2.4 Continue enforcement programs, such as those addressing vacant buildings, to promote the maintenance, rehabilitation, and preservation of the city's historic and cultural resources.
- Policy HP-2.5 Consider preservation of Structures of Merit and Contributing Structures in Conservation Areas a key objective in the development review process. As development proposals are submitted, evaluate structures, list qualifying structures on the Historic Resources Inventory, and consider the feasibility of incorporating structures and fabric into the development proposal. If preservation is infeasible, offer said structures for relocation and salvage and complete non-Historic American Building Survey level documentation.
- Policy HP-2.6 The City's public works projects (street lights, street tree planting, sidewalk design, etc.) should promote, preserve, or enhance the historic character of Conservation Areas.
- Action HP-2.7 Amend the applicable design guidelines and the Planning Commission Policy on the "Conversion of Single Family Residences to Two or Multiple Family Residences" to provide additional flexibility in the development review process (for example, with parking, independently accessible private open spaces, requirement for units to be attached, etc.) that encourages the preservation of historic resources such as Structures of Merit and those in Conservation Areas.

Goal HP3 – Increase public awareness and understanding of the history of San Jose, historic preservation, and its importance to the economic and cultural vitality of the City.

- Policy HP-3.1 Encourage widespread public participation in the identification and the designation of historically or culturally important buildings, sites, and areas, and utilize the public as a resource to help with updating and maintaining the City's Historic Resources Inventory in accordance with Policy HP-1.10.
- Policy HP-3.2 Foster a community sense of stewardship and personal responsibility for all cultural resources.
- Policy HP-3.3 Whenever possible, encourage the public accessibility of City Landmark, California Register, and National Register structures and sites, even if only for temporary or special events.
- Policy HP-3.4 Acknowledge and celebrate San Jose's strong historic connections to past industry, from agriculture to high-tech, and educate/inform the public of its importance in the City's history. Preserve such resources whenever possible, feasible, and appropriate to serve as a link between San Jose's present and past.
- Action HP-3.5 Work with neighborhood groups and historic preservation advocacy groups on events, materials, and efforts to educate the public on the positive benefits of historic preservation generally and in specific neighborhoods.

Action HP-3.6 Expand resources such as historic maps, historic markers, or self-guided walking tours as a means to promote and celebrate historic preservation in San Jose.

Goal HP4 – Preserve, conserve, and/or rehabilitate historic structures as a means to achieve the City of San Jose’s Environmental Leadership and Innovative Economy goals.

Policy HP-4.1 Integrate historic preservation practices into sustainable development decisions.

Policy HP-4.2 Evaluate the materials and energy resource consumption implications of new construction to encourage preservation of historic resources.

Policy HP-4.3 As part of the preservation and rehabilitation of historic resources, encourage sustainable energy, water, and material choices that are historically sensitive.

Policy HP-4.4 When preservation, conservation, rehabilitation, reuse, or relocation is not feasible, development approvals that include demolition of a structure eligible for or listed on the Historic Resources Inventory shall require that salvage of elements of the resource be offered as a means to re-use those elements and avoid the energy costs of the production of new elements.

Policy HP-4.5 Utilize the aesthetic and cultural qualities of historic resources of all types as means of promoting San Jose as a place to live, work and visit consistent with the City’s economic development goals.

Action HP-4.6 Explore the revision of the Construction and Demolition Diversion Deposit (CDDD) program to eliminate the deposit requirement for projects proposing rehabilitation of a historic landmark, a property in a Historic District, or the conservation of more than 75% of a Structure of Merit or structure in a Conservation Area.

Action HP-4.7 Work with agencies, organizations, property owners, and business interests to develop and promote heritage tourism opportunities, in part as an economic development tool.

Archaeology

San Jose’s long and colorful history provides a significant contribution to a sense of community identity. Native Americans represent a large part of that history, and artifacts from the Native American era have been discovered in various locations throughout San Jose. These artifacts provide an irreplaceable record of another civilization, so their protection is important.

Goal AR-1: Preserve and conserve archaeologically significant structures, sites, districts and artifacts in order to promote a greater sense of historic awareness and community identity.

Policy AR-1.1 For proposed development sites that have been identified as archeologically sensitive, the City shall require investigation during the planning process in order to determine whether potentially significant archeological information may be affected by the project and should also require that appropriate mitigation measures be incorporated into the project design. (SJ2020, revised)

- Policy AR-1.2 Recognizing that Native American human remains may be encountered at unexpected locations, the City shall impose a requirement on all development permits and tentative subdivision maps that upon their discovery during construction, development activity will cease until professional archaeological examination confirms that the burial is human. If the remains are determined to be Native American, applicable state laws shall be implemented. (SJ2020, revised)
- Policy AR-1.3 The City shall ensure that City, State, and Federal historic preservation laws, regulations, and codes are implemented, including the California Historical Building Code and State laws related to archaeological resources, to ensure the adequate protection of historic and pre-historic resources.