

CITY COUNCIL STUDY SESSION AGENDA

HISTORIC PRESERVATION

OCTOBER 23, 2008

9:00 A.M. to 12:00 P.M.

CITY HALL, COUNCIL CHAMBERS

- **Outcome**

1. *Discussion of best practices regarding Historic Preservation as a tool to achieve multiple community objectives, including but not limited to economic development, environmental sustainability, community identity, etc.*
2. *Understanding of existing City strategies, policies, and procedures for Historic Preservation.*
3. *Articulation of the City Council's preservation priorities.*

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FORREST WILLIAMS
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

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To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 294-9337 (TTY) at least two business days before the meeting.

- **Call to Order and Roll Call**

CITY COUNCIL STUDY SESSION

9:00 a.m. – 12:00 p.m., October 23, 2008, City Hall, Council Chambers

- 1. Opening Remarks** 9:00 a.m.
- 2. Community Identity, Economic Development and Sustainability** 9:10 a.m.
(Keynote Speaker: Nore Winter, Preservation Consultant)
- 3. San José's Historic Context, including Buildings from the Recent Past (less than 50 years), Policies, Procedures and Decision-Making Framework** 10:00 a.m.
- 4. Council Priorities Discussion** 11:00 a.m.
 - a. How should San José preserve aspects of its history, including assets from the recent past?*
 - b. How can preservation efforts achieve other City goals (i.e., environmental sustainability, economic development, neighborhood revitalization, and etc.)?*
 - c. What modifications are needed to the City's preservation policies and goals to achieve these objectives?*
- 5. Public Comments** 11:45 a.m.
- 6. Adjourn**



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: STUDY SESSION ON HISTORIC
PRESERVATION

DATE: October 10, 2008

Approved

Date

10/14/08

Council District: City-Wide
SNI Area: All

REASON FOR MEMORANDUM

This memo transmits the agenda and reference materials in support of the October 23rd City Council Study Session on Historic Preservation.

OUTCOME

Per the attached agenda (**Attachment 1**), the Historic Preservation Study Session has the following intended outcomes.

1. Discussion of best practices regarding Historic Preservation as a tool to achieve multiple community objectives, including but not limited to economic development, environmental sustainability, community identity, etc.
2. Discussion of existing City strategies, policies, and procedures for Historic Preservation.
3. Articulation of the City Council's preservation priorities.

During the Study Session, the City Council will have the opportunity to engage in discussion with staff and representatives of the:

- Department of Planning, Building and Code Enforcement, Office of Economic Development, Redevelopment Agency, and City Attorney's Office;
- Historic Landmarks Commission;
- Preservation Action Council of San Jose (PAC-SJ); and
- Nore Winter, Historic Preservation Consultant

BACKGROUND

Council discussion of recent private development proposals and City public projects has focused attention on how buildings are evaluated for historic significance, the minimum age for a building to be considered historic, the process by which City Landmarks are designated, and what to do with historic buildings in light of development proposals.

In San Jose and in many communities across the nation, there has been a longstanding tension between the 'old' and the 'new' when private development or public facilities involve the removal of older buildings. In San Jose, many interesting, older buildings that contribute to the fabric and character of the City remain un-surveyed, and these buildings may be evaluated at the time development applications are filed with the City to remove or alter them. Unfortunately, in this scenario when a building's historic importance is discovered after significant investment has been made to prepare the development proposal, the City is reactive and the developer frustrated. As a result, the development community often sees historic buildings as liabilities that constrain the development potential of properties, or at the least cause delay in the development review process. In contrast, the preservation community may mobilize to save the structure.

ANALYSIS

In preparation for the Study Session, staff has compiled the following background materials:

- **Attachment 2** highlights the environmental sustainability, or 'green' benefits of historic preservation, in a speech by Richard Moe of the National Trust for Historic Preservation. This piece explains that existing buildings contain substantial amounts of 'embodied' energy that is otherwise lost when structures are demolished.
- **Attachment 3** is guidance from preservation consultant Nore Winter, Study Session Keynote Speaker, for assessing how the City's Historic Preservation program fits within the broader vision for the community and in the broader context of the City's community and economic development programs and initiatives.
- **Attachment 4** provides excerpts from the San Jose 2020 General Plan of major strategies, goals, and policies addressing historic preservation. The General Plan identifies that at a strategic level, preservation activities contribute visual evidence to a sense of community and add character and interest to the City's image. The General Plan is the foundation of the City's existing policy/decision-making framework which currently guides the evaluation and consideration of historic resources. Other elements of the existing policy/decision-making framework include City Council policies and the Municipal Code, as indicated below.

- **Attachment 5** is the City Council Policy on Preservation of Historic Landmarks, which states that historically and architecturally significant structures, sites, and districts provide an irreplaceable link to the City's past, enrich the present and future with their rich tradition and diversity, and add inestimable character and interest to the City's image. The Policy provides that candidate or designated landmark structures, sites, or districts be preserved wherever possible.

In addition, the San Jose Historic Preservation Ordinance (Municipal Code Chapter 13.48) acknowledges that preserving history in the built environment is essential to the economic and general welfare of the City and calls on the City to maintain a Historic Resources Inventory. This is not an attachment but is available through the Planning Division's and City Clerk's websites.

The Council may also be interested to know that on November 10, 1992, the Council adopted Ordinance No. 24212 which eliminated a 30 year minimum age requirement for a City Landmark from Title 13.48 (Historic Preservation Ordinance). In adopting this ordinance, the Council at that time acknowledged that age is only one of the many factors in the analysis of landmark qualification, and that age may not always be the most important factor. Other factors may include association with persons, eras, or events that contributed to local, regional, state, or national history even if the structure is relatively young in age. This ordinance is not included in this packet, and is available at the City Clerk's Office or the Department of Planning, Building and Code Enforcement.

- **Attachment 6** is an excerpt from Title 2 of the Municipal Code establishing the Historic Landmarks Commission.
- **Attachment 7** is a discussion, by Study Session Keynote Speaker, preservation consultant Nore Winter, of how preservation professionals consider the potential significance of buildings from the "Recent Past", a general category of buildings constructed since World War II.
- **Attachment 8** is a National Register Bulletin prepared by the National Park Service addressing the specific issues and challenges involved in evaluating buildings less than 50 years old. The bulletin explains the 50 year period is an arbitrary span of time, designed as a filter to ensure enough time has passed to evaluate the property in a historic context. However, it was not designed to be mechanically applied in a year by year basis, meaning structures less than 50 years old can and should be considered historically significant if sufficient time has passed for professional evaluation of their significance.
- **Attachment 9** provides a discussion of the relationship of historic preservation and the City's implementation of California Environmental Quality Act (CEQA). CEQA calls for the evaluation of existing structures, sites and areas in order to identify, disclose impacts to, and develop feasible preservation alternatives for significant historic resources.

- **Attachment 10** is an historical overview and context for San Jose, prepared by historical consultant Glory Anne Laffey of the consulting firm Archives and Architecture.
- **Attachment 11** is the Planning Division's webpage regarding Historic Preservation, which provides the public with easy access to information concerning San Jose's historic resources, programs, procedures, practices, and incentives.
- **Attachment 12** is a summary of the numerous City, State, and federal incentives, both procedural and financial, available to properties and projects involving historic preservation.

The Fiscal Year 2008/09 budget provides resources for initiating proactive historic survey work and to provide more certainty in the historic review process. This Study Session provides the City Council an opportunity to explore the role of preservation activities in economic development, environmental sustainability, community vibrancy, etc., and determine its priorities around protecting historic/cultural resources that contribute to San Jose's unique identity and character. This Council direction is important in completing the work budgeted for this fiscal year.

City and Redevelopment Agency staff is looking forward to engaging with the Council, members of the Historic Landmarks Commission, historic preservation community, and Nore Winter in a discussion of the following questions to guide the identification of key priorities:

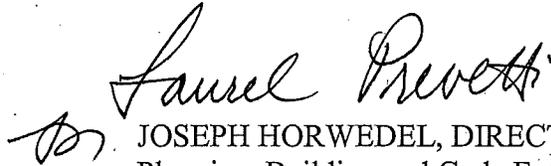
- How should San Jose preserve aspects of its history, including assets from the recent past (i.e., buildings less than 50 years old)?
- How can preservation efforts achieve other City goals (e.g., environmental sustainability, economic development, neighborhood revitalization, etc.)?
- What modifications are needed to the City's historic preservation policies and ordinances to achieve these objectives?

The City's development review process seeks to achieve consistency and predictability for all interested parties. Through this Study Session, staff is interested to learn how creative and flexible design review of historic resources can meet San Jose's multiple community objectives including the timely review of development proposals, historic preservation, economic development, environmental sustainability, etc.

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COORDINATION

The study session presentation is being coordinated with the Council Liaison to the Historic Landmarks Commission, the Office of Economic Development, the Redevelopment Agency, and the City Attorney's Office.


JOSEPH HORWEDEL, DIRECTOR
Planning, Building and Code Enforcement

For questions please contact Akoni Danielsen, Principal Planner, at 408-535-7823.

ATTACHMENTS

ATTACHMENT 1

CITY COUNCIL HISTORIC PRESERVATION STUDY SESSION AGENDA

City Hall, Council Chambers

October 23, 2008

9:00 a.m. - Noon

Outcome:

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|------|--|---------------|
| I. | Opening Remarks | 9:00 – 9:10 |
| II. | Community Identity, Economic Development and Sustainability
<i>(Keynote Speaker Nore Winter, Preservation Consultant)</i> | 9:10 – 10:00 |
| III. | San Jose's Historic Context, including Buildings from the Recent Past (less than 50 years), Policies, Procedures, and Decision-making Framework | 10:00 – 11:00 |
| IV. | Council Priorities Discussion | 11:00-11:45 |
| | <i>a. How should San Jose preserve aspects of its history, including assets from the recent past?</i> | |
| | <i>b. How can preservation efforts achieve other City goals (e.g., environmental sustainability, economic development, neighborhood revitalization, etc.)?</i> | |
| | <i>c. What modifications are needed to the City's preservation policies and goals to achieve these objectives?</i> | |
| V. | Open Forum | 11:45–12:00 |
| VI. | Adjournment | Noon |

Attachment 2

Sustainable Stewardship: Historic Preservation's Essential Role in Fighting Climate Change

Sustainable Stewardship: Historic Preservation’s Essential Role in Fighting Climate Change

Richard Moe

President, National Trust for Historic Preservation

Delivered at the First Church of Christ, Scientist, Berkeley, CA
27 March 2008

Thank you, Jon [Carroll], and good evening, everyone. I’m delighted to be in Berkeley, and particularly honored to have an opportunity to speak in this marvelous building. You may recall that in 2006, the National Trust and American Express sponsored a program called Partners in Preservation, which asked people in the Bay Area to vote for their favorite historic site. Out of 25 candidates, this church was the top vote-getter—and as a result, the Friends of First Church received a grant of \$118,000 to complete a seismic upgrade of the Sunday School facility.



Richard Moe

Thousands of people, including some of you, I’m sure—took part in that program, and we got the same overwhelming response from the public when we repeated it in the Chicago area last year. It’s a great indication that people recognize the importance of saving the places that tell the story of America in brick and stone and wood.



Sanctuary, First Church of Christ, Scientist (photo: Daniella Thompson, 2007)

That leads me to the subject of my remarks this evening. You won’t be surprised to learn that I intend to talk about historic preservation. What may be a surprise is that I intend to argue that preservation can—and should—play an essential role in fighting what may be the greatest crisis of our times: climate change.

I’ll begin with a reminder of what historic preservation is all about. When you strip away the rhetoric, preservation is simply having the good sense to hold on to things that are well designed, that link us with our past in a meaningful way, and that have plenty of good use left in them.

Preservation in America has embraced that philosophy for more than

150 years now. It began when a woman named Ann Pamela Cunningham launched a national crusade in the 1850s to save George Washington's home, Mount Vernon, from demolition. For most of the next century, preservation focused on saving and restoring iconic buildings as patriotic shrines:

Around the middle of the twentieth century, "economic benefit" became preservation's new watchword. The concept of adaptive reuse came into prominence. The National Trust's Main Street program was created to restore economic vitality to deteriorated downtowns by emphasizing the historical and architectural features that set them apart from the typical suburban strip mall. Tax incentives were developed to encourage owners to renovate and reuse older buildings instead of demolishing them. It was all about dollars and cents.

This trend led inevitably to an emphasis on preservation's role in supporting and enhancing social values. Today, we understand that maintaining tangible contact with our past strengthens the sense of stability and continuity that is essential in a healthy society, so we make the preservation of familiar landmarks a key component in the revitalization of neighborhoods and communities that are attractive and livable. It's all about bringing us together, encouraging us to recognize the shared heritage that defines and unites us as a nation and a people.

These shifts in focus over the past century and a half show that preservation is a dynamic, vibrant movement. Some things haven't changed: We're still saving iconic buildings, ranging from 18th-century Spanish missions here in California to Philip Johnson's Glass House in Connecticut. Our work is still rooted in a respect for history. But today, more than ever before, it is as much concerned with building the future as with holding on to the past.

This concern with the future is at the core of the new phase that preservation is entering right now: As growing numbers of people are worried about climate change, the degradation of the environment, and our relentless consumption of energy and irreplaceable natural resources, it is increasingly apparent that preservation has an essential role to play in any effort to deal with the environmental crisis that looms over us. Because it necessarily involves the conservation of energy and natural resources, historic preservation has always been the greenest of the building arts. Now it's time to make sure everyone knows it.

* * *

The watchword is "sustainability."

Up to now, our approach to life on this planet has been based on the assumption that "there's plenty more where that came from." With our environment in crisis, we have to face the fact that there may not be "plenty more" of anything—except trouble. Today we're challenged to find a way of living that will ensure the longevity and health of our environmental, economic, and social resources.

The U.N. Intergovernmental Panel on Climate Change released a deeply sobering report a couple of months ago. It states bluntly that "warming of the climate system is unequivocal" and is the result of human activities.

The United States is a big part of the problem. We have only 5% of the world's population, but we're responsible for 22% of the world's greenhouse gas emissions, which are the leading cause of climate change. Discussions on this topic usually focus on the need to reduce auto emissions. But according to the EPA, transportation—cars, trucks, trains, airplanes—accounts for just 27% of America's greenhouse gas emissions, while 48%—almost twice as much—is produced by the construction and operation of buildings. If you remember nothing else I say, remember this: Nearly half of the

greenhouse gases we send into the atmosphere comes from our buildings. With that fact in mind, it’s clear that any solution to climate change must address the need to reduce emissions by being wiser about how we design and use our buildings.

I’m not so naïve as to believe that preservation represents the way out of this crisis. But I do believe that historic preservation can be—and must be—a key component of any effort to promote sustainable development. Indeed, preservation is sustainability.

The concept of preservation as “the ultimate recycling” is something that many people in the preservation community have believed and talked about for many years. Back in 1980, before the word “sustainability” came into widespread use, the National Trust issued a Preservation Week poster that featured an old building in the shape of a gas can—a reminder that reusing an existing building, instead of demolishing it and replacing it with a new one, is one good way to conserve energy.

Much has changed since that poster appeared almost 28 years ago. The stakes have gotten much higher. Climate forecasts, meteorological reports, population growth projections, rising energy costs, dwindling reserves of water and fossil fuels, even the daily news headlines—they all warn us that we can’t wait any longer for “somebody” to figure out what to do. The “somebody” we need is us, and the need is clearly urgent.

The challenge is to help people understand that preservation, by its very nature, is sustainability. To address that challenge, I want to share my views on preservation’s essential role in fostering development that is environmentally, as well as economically, sustainable.

The key phrase is “sustainable stewardship.”

The retention and reuse of older buildings is an effective tool for the responsible, sustainable stewardship of our environmental resources—including those that have already been expended. I’m talking about what’s called “embodied energy.”

Here’s the concept in a nutshell: Buildings are vast repositories of energy. It takes energy to manufacture or extract building materials, more energy to transport them to a construction site, still more energy to assemble them into a building. All of that energy is embodied in the finished structure—and if the structure is demolished and landfilled, the energy locked up in it is totally wasted. What’s more, the process of demolition itself uses more energy—and, of course, the construction of a new building in its place uses more yet.

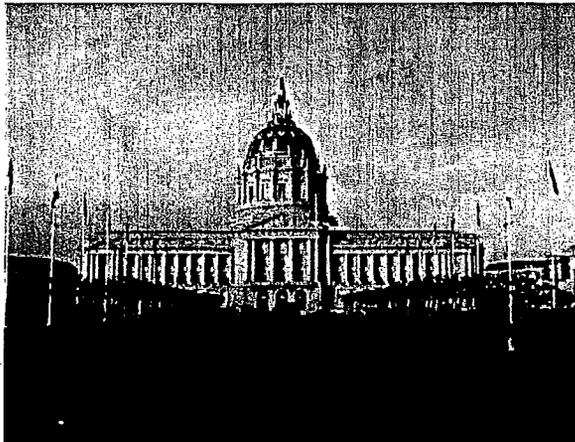
Let me give you some numbers that will translate that concept into reality.

- According to a formula produced for the Advisory Council on Historic Preservation, about 80 billion BTUs of energy are embodied in a typical 50,000-square-foot commercial building. That’s the equivalent of 640,000 gallons of gasoline. If you tear the building down, all of that embodied energy is wasted.
- What’s more, demolishing that same 50,000-square-foot building would create nearly 4,000 tons of waste. That’s enough debris to fill 26 railroad boxcars—a train nearly a quarter of a mile long, headed for a landfill that is already almost full.
- Once the old building is gone, putting up a new one in its place takes more energy, of course, and it also uses more natural resources and releases new pollutants and greenhouse gases into our environment. It is estimated that constructing a 50,000-square-foot commercial building releases about the same amount of carbon into the atmosphere as driving a car 2.8 million miles.

- One more point: You might think that all the energy used in demolishing an older building and replacing it is offset by the increased energy efficiency of the new building—but that’s simply not true. Recent research indicates that even if 40% of the materials are recycled, it takes approximately 65 years for a green, energy-efficient new office building to recover the energy lost in demolishing an existing building. And let’s face it: Most new buildings aren’t designed to last anywhere near 65 years.

A report from the Brookings Institution projects that by 2030 we will have demolished and replaced nearly 1/3 of all existing buildings, largely because the vast majority of them weren’t designed and built to last any longer. How much energy will it take to demolish and replace those buildings? Enough to power the entire state of California for 10 years.

Instead of focusing on generalities, let’s look at a specific building—the San Francisco City Hall, built in 1915.



San Francisco City Hall (courtesy of sf.gov.org)

City Hall has approximately 500,000 square feet of space, enclosed and decorated with a lot of stone and bricks and iron and wood. When you consider the amount of energy it took to extract or manufacture all those materials, then transport them to the site and put them all together, the total embodied energy in that building is the equivalent of 7 million gallons of gasoline. If we assume the average vehicle gets about 22 miles to the gallon, that means there’s enough embodied energy in the San Francisco City Hall to drive a car about 150 million miles. All of that energy would be wasted if the building were to be demolished and landfilled. What’s more, the demolition itself would require the equivalent of thousands of gallons of gas—and would create thousands of tons of waste.

It all comes down to this simple fact: We can’t build our way out of the global warming crisis. We have to conserve our way out. That means we have to make better, wiser use of what we’ve already built.

Anthropologist Ashley Montague has said that the secret to staying young is to die young—but the trick is to do it as late as possible. All over the United States, people are showing that old buildings put to new uses can stay young to a ripe old age. If that’s not sustainability, I don’t know what else to call it.

Still, too many people just don’t see the connection. They don’t yet understand that preservation must be an integral part of any effort to encourage environmental responsibility and sustainable development. They don’t yet realize that our buildings are renewable—not disposable—resources.

The U.N. report that I quoted a bit earlier, for instance, doesn’t stress

the importance of reusing the buildings we have. Similarly, most recent efforts by the green community place heavy emphasis on new technologies rather than on tried-and-true preservation practices that focus on reusing existing buildings. The most popular green-building rating system, the Leadership in Energy and Environmental Design, or LEED program developed by the U.S. Green Building Council, was designed principally for new construction—an emphasis that is completely wrong-headed.

All available statistics tell us clearly that buildings are the problem—but incredibly, we propose to solve the problem by constructing more and more new buildings while ignoring the ones we already have. No matter how much green technology is employed in its design and construction, any new building represents a new impact on the environment. The bottom line is that the greenest building is one that already exists.

It’s often alleged that historic buildings are energy hogs—but in fact, some older buildings are as energy-efficient as many recently-built ones. Data from the U.S. Energy Information Agency suggests that buildings constructed before 1920 are actually more energy-efficient than buildings built at any time afterwards—except for those built after 2000. Furthermore, in 1999, the General Services Administration (GSA) examined its buildings inventory and found that utility costs for historic buildings were 27% less than for more modern buildings.

It’s not hard to figure out why. Many historic buildings have thick, solid walls, resulting in greater thermal mass and reducing the amount of energy needed for heating and cooling. Buildings designed before the widespread use of electricity feature transoms, high ceilings, and large windows for natural light and ventilation, as well as shaded porches and other features to reduce solar gain. Architects and builders paid close attention to siting and landscaping as tools for maximizing sun exposure during the winter months and minimizing it during warmer months.

Unlike their more recent counterparts that celebrate the concept of planned obsolescence, most historic and many other older buildings were built to last. Their durability gives them almost unlimited “renewability”—a fact that underscores the folly of wasting them instead of recognizing them as valuable, sustainable assets.



*The Administration Building at Letterman Hospital around 1901
(courtesy of nps.gov)*

I’m not suggesting that all historic buildings are perfect models of efficient energy use—but, contrary to what many people believe, older buildings can “go green.” The marketplace now offers a wide range of products that can help make older buildings even more energy-efficient without compromising the historic character that makes them unique and appealing. And there’s a large and growing number of rehab/reuse projects that offer good models of sustainable design and construction—including several here in the Bay Area. At the Presidio in San Francisco, for instance, the former Letterman Hospital complex now houses the Thoreau Center for Sustainability. Even though the conversion was completed before LEED certification standards were developed, it has become a model for sustainable design in preservation—not only in California but also around the world.

* * *

I believe that climate change is the defining issue of our time—and will be for a long time to come. The debate is over, the facts are in, and it's time to act.

Today, most of the important and innovative work on climate change is being carried out by state and local governments and the private sector. But because this issue cuts across all social, geographic and political boundaries, it demands strong national leadership. What we need is a federal effort, preferably at the cabinet level, incorporating a significantly strengthened Environmental Protection Agency and relevant parts of the Department of Energy and other federal entities. This new agency should be given a mandate that recognizes climate change as a threat to our survival as great as terrorism and that commits the nation to combating it with every resource available. It should be the environmental equivalent of the Department of Homeland Security.

One of the first and most important things that must happen is a thoroughgoing revision of current government policies that foster unsustainable development. For decades, national, state and local policies have facilitated—even encouraged—the development of new suburbs while leaving existing communities behind. As a result, an epidemic of sprawl ravages the countryside, devouring open space and demanding new infrastructure. Look at almost any city in the country, and you'll see new houses springing up in rural areas that are underserved by roads and public services—while in the urban core, disinvestment has left viable housing stock abandoned in areas where infrastructure is already in place, already paid for.

It makes no sense for us to recycle newsprint and bottles and aluminum cans while we're throwing away entire buildings, or even entire neighborhoods. This pattern of development is fiscally irresponsible, environmentally disastrous, and ultimately unsustainable. To replace it, we need federal policy that directs growth to existing communities. You'll note I said "federal policy." Land-use planning has traditionally been a function of state and local government, but it's an indisputable fact that where the federal government chooses to spend its money—our money—has a huge impact on local planning and development. We need federal policy that stops rewarding unsustainable development and enhances the viability and livability of the communities we already have.

We have a choice: We can do nothing for a while longer—until the realities of climate change, the disappearance of irreplaceable resources, and soaring energy costs force us to take action. Or we can take steps now to develop a smart, sustainable development ethic and the policies that will support it.

Among other things, we need incentives to encourage reuse and energy upgrades in older buildings. In the past ten years alone, historic tax-credit incentives have sparked the rehab of more than 217 million square feet of commercial and residential space—and saved huge amounts of energy in the process. We must insure the continued availability of these tax credits, and expand their use in older buildings that are not necessarily historic but still re-usable. Equally important, we must provide similar incentives that will help private homeowners use green technology in maintaining and renovating their homes.

These federal actions should be complemented by steps at the state and local levels. Twenty-nine states have now enacted their own state tax credits to promote the reuse of historic buildings, and we need to see them adopted in more states—including California. At the local level, we need building codes that allow flexibility and innovation in making existing buildings more energy-efficient.

Finally, we need to improve green-building rating systems to ensure

that they recognize the importance of building reuse. Under the current LEED standards, for example, a new building can be certified “green” even if it’s constructed outside densely populated areas; this kind of development amounts to “green sprawl,” which is contrary to every principle of sustainability. Also, under the current LEED rating system, reusing 75% of an existing building core and shell is assigned the same value as merely using environmentally-friendly carpet.

The National Trust is working with the U.S. Green Building Council, which has been very receptive to our suggestions on ways to improve these and other points. I’m optimistic that by year’s end we will have made real progress toward a new LEED rating system that reflects the environmental benefits of “smart” locations and building reuse.

These public-policy steps are critically important, but we shouldn’t wait for government to act. That’s why the National Trust has launched its own Sustainability Initiative.

As the keystone of this new Initiative, we’ll establish the National Trust Green Lab in Seattle, the hub of the region that leads the nation in green thinking. This office will collaborate with selected cities to develop and implement zoning ordinances, building codes and other plans that support the reuse and retrofit of existing buildings. We’ve already established a partnership with Seattle in this effort, and we’re talking with San Francisco about being involved as well.

The Green Lab will also identify and support demonstration projects that show how historic buildings can “go green,” and will forge partnerships with universities, green groups and others to ensure that the concept of recycling buildings is incorporated into broader academic and environmental agendas.

On the national level, our Sustainability Initiative will advocate the adoption of policies at the federal, state and local levels that encourage and provide incentives for reinvestment in existing communities and reuse of existing buildings. We’ll work to refute some common misconceptions about energy efficiency in older buildings, and we’ll make our website a “best practices” resource for how to reduce energy consumption and use green technology in the rehab of older structures.

We’ll also take steps to integrate environmentally sound practices in the operation of historic sites across the country. Last month in Washington, the National Trust opened President Lincoln’s Cottage to the public. Just a few yards away from the Cottage, the Visitors Education Center is housed in a renovated historic building that is fully LEED-certified—a good example of how green practices and products can be employed in older structures without compromising their historic integrity.

I believe this Sustainability Initiative is one of the most exciting and important we’ve ever undertaken, and we’re eager to get started.

* * *

Historic preservation has always sustained America. By protecting and enhancing the buildings, communities and landscapes that tell America’s story, preservation allows us to maintain tangible contact with the places where our identity as a nation was established and our character as a people was shaped. By helping us understand the process that made us who we are, preservation gives us the confidence to become who we can be.

Over the years, as the focus of our work has evolved, we’ve demonstrated that preservation is good for the pocketbook as well as the soul. Now, in the face of unprecedented climate change, we’re prepared to demonstrate that preservation is an essential tool for sustaining the environmental viability of the planet as well as the quality of life for ourselves and our children.

The National Trust for Historic Preservation has long played a leadership role in the responsible stewardship of America's past. Now we're ready and eager to play a similar role in the sustainable stewardship of America's future.

* * *

BAHA ❖ BERKELEY LANDMARKS ❖

PRESERVATION DISCOURSE

Attachment 3

Assessing Your Local Historic Preservation Program

ASSESSING YOUR LOCAL HISTORIC PRESERVATION PROGRAM

A preservation program exists within a broader community development and planning context. It should be well-coordinated with other initiatives, including housing, economic development and sustainability and it should match the political support that preservation enjoys locally. When assessing the current preservation environment, consider other policies and tools that are in place. You should be able to answer the following two questions:

How does preservation fit into the broader vision for the community?

How does the preservation program relate to other policies and regulations in the community?

Step 1: Identify related community planning policies.

Note that many communities with historic districts employ design guidelines as a tool to manage the character of change that may occur, both for preservation of the historic resources themselves and also for directing new development. These guidelines are most effective when they are a part of the comprehensive plan for the community.

The historic guidelines are usually developed in the context of a historic preservation ordinance that provides for design review. Sometimes the design guidelines are included as part of the law. Sometimes the guidelines are adopted through an administrative process after the ordinance is passed. Ideally, this ordinance is based on policies defined in a preservation plan, which itself should be a component of the community's comprehensive plan.

Once you have reviewed the broader planning policies of the community, answer these questions:

A. Does a comprehensive plan exist that may establish a policy for historic preservation?

A comprehensive plan may include:

- Housing**
- Economic development**
- Environmental policies**
- Historic preservation**
- Transportation**
- Education**
- Health**

How will preservation help accomplish other objectives of the comprehensive plan?

B. How will the preservation program fit with other development regulations and policies?

Also review related city regulations: zoning ordinances, building codes, subdivision regulations and design review regulations should be studied to determine how the guidelines would relate to these laws. These are especially important when the guidelines are used for mandatory review. It is very important that potential conflicts be identified early in the process so they can be resolved, and coordination with city staff will be necessary.

Zoning ordinances may regulate:

- Types of land use**
- Lot assemblage**
- Parcel size**
- Density**
- Set-backs**
- Building height**
- Building orientation**

Some guidelines include policies that conventionally appear in zoning regulations. If such standards are included in the guidelines, be careful to coordinate them with similar regulations in the zoning ordinance itself, to avoid conflicting standards.

C. What is the political climate for the preservation program?

- What is level of awareness?
- Is there an area of special concern?
- What is the political support for preservation?
- Will elected officials support the program?
- Is additional education needed to build support?
- Will property owners support design review?

D. What are the appropriate tools to implement the preservation program?**E. Who are the key players and stakeholders in the preservation program?****Step 2:****Evaluate the preservation program.**

Many communities organize their historic preservation programs as a series of interrelated tools, each of which contributes to the protection of cultural resources. Some of these elements are officially adopted regulations; others may be policies that are used informally. While it is not essential to have all of these components in place, it is good to think about them as a coordinated package of policies and tools.

Components of a historic preservation program.

Design guidelines function best when they are a part of a coordinated set of policies and administrative tools that promote preservation in the community. When evaluating a preservation program, check to see that these components are in place:

1. GOALS & OBJECTIVES

These should be stated goals for the long-range character of the district and should also relate to other planning issues associated with the area. (See the detailed discussions that follow for goals options.) These goals statements may also include more specific policies such as those that relate to styles for new construction, relocation of historic buildings, and regulation of color.

2. SURVEYS

A survey identifies each of the historic resources in the district. It should include a description of the general character of the district, as well as a listing of all of the properties surveyed, indicating their significance. When reviewing proposed alterations to properties in the district, use the survey to determine if a property is "contributing," in which case guidelines for rehabilitation of historic structures will apply. If the structure is "noncontributing," then guidelines for new construction usually apply. Some communities use a tiered survey that indicates varying levels of integrity for historic structures. Such a survey may also identify new buildings that are compatible with their context.

3. LEGAL TOOLS

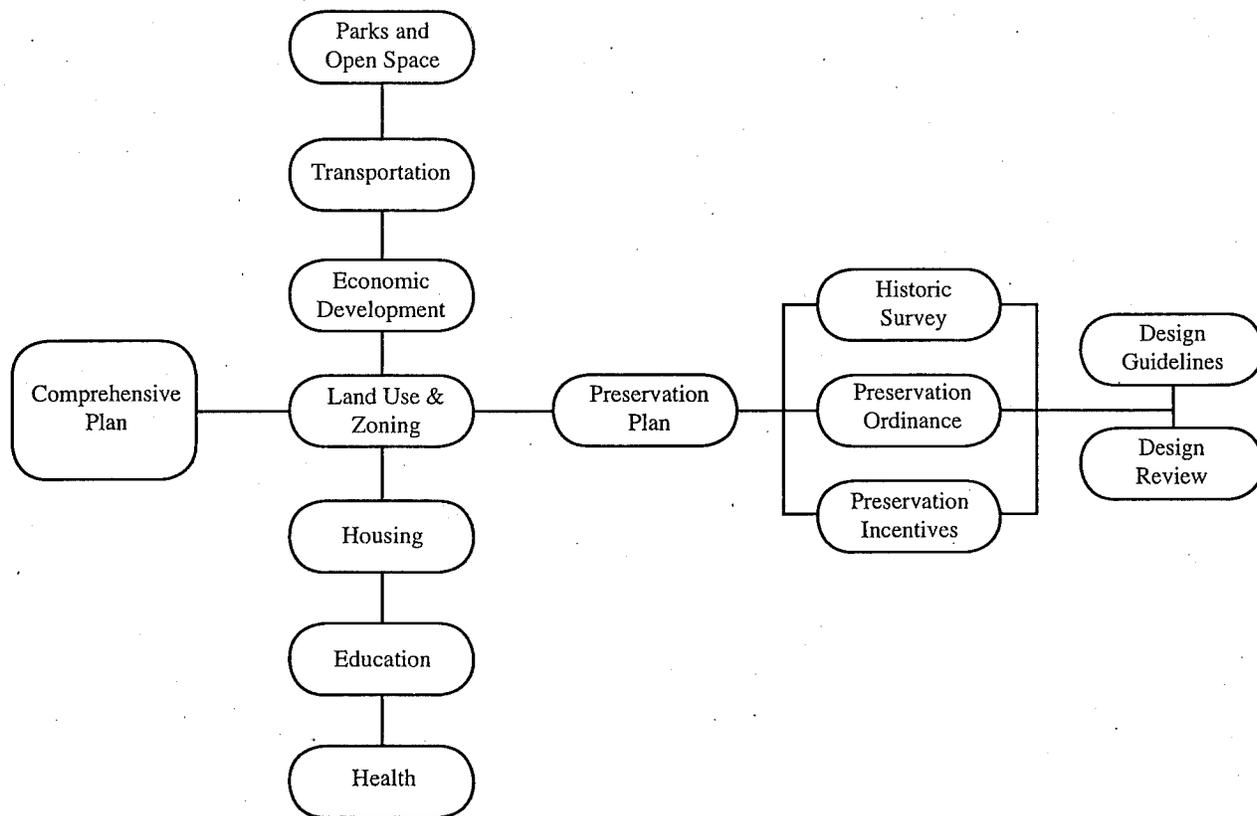
Legal tools define the limits and rights of review and establish the Historic Preservation Commission as the reviewing body. For example, state enabling legislation is needed to allow local governments to adopt powers of design review. At the community level, a city's historic preservation ordinance is usually established under the provisions of local zoning regulations. The ordinance may provide a process for designating historic properties as well as for the review of rehabilitation plans, and designs for new construction and demolition. Other legal tools may include preservation easements, covenants and sign codes.

Preservation ordinances have been upheld in numerous court decisions. Many of these decisions also hold that for an ordinance to be legally enforceable, reasonable standards must exist, on which the review board bases its decisions.

4. ADMINISTRATIVE AND REVIEW PROCEDURES

The means by which reviews occur are established in a set of procedures that define a uniform due process for all applicants to be heard in a similar manner. A written definition of procedures will include the submittal requirements, outlining the types of documentation that will be required for review. Other procedures will define the process for scheduling a hearing with the commission. Finally, provisions should exist for how the commission will conduct the meeting itself.

HISTORIC PRESERVATION IN THE CONTEXT OF OTHER COMMUNITY POLICIES



This chart illustrates a typical organization of community policies, which organizes historic preservation programs, including design review, as a part of a Preservation Plan that establishes goals for preservation and provides the theoretical basis for design review. This Preservation Plan is in turn a component

of community-wide land use and zoning policies, which combine with broader planning topics, such as Transportation, Health and Education, to form a Comprehensive Plan. Although your community may not have all of these planning components, consider this as a model for formal and informal policies that may exist.

5. DESIGN GUIDELINES

The heart of a design review document contains the individual guideline statements that address specific design issues. These should be published and made available in advance for applicants while developing their designs. Ideally, the document will also reiterate the design goals for the district.

Design guidelines are best developed with people in the district and with the assistance of professionals. Once established, guidelines become the community standards by which the design review board evaluates the appropriateness of proposed changes in the district. The guidelines also inform developers in advance of the criteria on which their designs will be judged. Guidelines and the review process also play an educational role, increasing understanding and awareness of design issues in historic areas.

6. PRESERVATION INCENTIVES

Many communities provide incentives to stimulate investment in historic properties, encourage property owners to follow appropriate rehabilitation procedures, and even assist those with limited budgets. Even though preservation procedures generally are less expensive than alternatives that would alter historic character, incentives enhance any good preservation program. Some communities offer financial assistance, in the form of loans or grants, to reduce rehabilitation costs to property owners. Others offer tax relief, either as income tax credits, sales tax waivers, or reduced property taxes. Others provide technical assistance, to facilitate appropriate rehabilitation techniques, while some communities provide streamlined review processes and offer special flexibility in building codes.

7. EDUCATION & AWARENESS INITIATIVES

Many property owners willingly comply with appropriate rehabilitation procedures and develop compatible designs for new construction when they are well-informed about preservation theory. Effective preservation programs, therefore, include special initiatives to educate property owners. Such programs include rehabilitation classes, publications and walking tours to heighten awareness and increase understanding of preservation procedures and policies. Well-written design guidelines that provide useful information, as well as literal standards, also serve an educational role.

8. ENFORCEMENT MECHANISM

A weak link in many design review systems is enforcement of approved designs. At the initial stage, regulations should clearly state that all relevant building permit applications require approval of the historic preservation commission. Ordinances should also clearly define the responsibility for monitoring construction to assure that it complies with the approved submittals. Finally, penalties for non-compliance must be prescribed. When planning the enforcement component, be realistic about the time commitments that may be required to monitor construction and determine if this will be handled by staff or if commission members will fulfill this role.

9. SYSTEM MAINTENANCE

Preservation programs require maintenance. They require continuing evaluation of the process and its results. Ideally, the commission will review its actions on an annual basis to determine if adjustments in the system are necessary. Guidelines may be amended to respond to new development trends, procedures may be re-written to simplify review times and ordinances may be adjusted to clarify the powers of the commission. In addition to regular system reviews, the commission should stage an annual training session to hone its design review skills and provide orientation to new members.

This evaluation of existing preservation programs should help you determine the role you expect preservation to play in the community. Note that as a part of the evaluation, that you may also identify the need for other preservation strategies. For example, a more aggressive education program may be needed to build broader support for preservation. Be certain to take a realistic assessment and place preservation in context

Attachment 4

San José 2020 General Plan Strategies, Goals and Policies

III. MAJOR STRATEGIES

URBAN CONSERVATION/ PRESERVATION

San José is a young City when measured by the relative age of its neighborhoods and housing stock. Yet, most of the City planned for 2020 already existed in 1990. The General Plan recognizes the importance of sustaining viable neighborhoods because there is no practical way to replace the City's housing stock, or its other physical assets.

There is a need to conserve these irreplaceable assets through a combination of public policies and private initiative. The City is more than a collection of structures. Residents have a need to belong to a neighborhood or an area with community identity that promotes civic pride and a concern for the community. The development of neighborhood participation through citizen organizations and local improvement activities is essential to maintaining San José's quality of life.

The Greenline/Urban Growth Boundary, the Urban Service area and the level of service level policies all support the conservation of existing neighborhoods, both mature and newly developing. Infill development is tempered by the consideration of protecting nearby areas from adverse impacts. The General Plan goals for employment and a sound tax base recognize that neighborhood conservation takes substantial resources. An overall level of economic stability enables individual citizens to maintain their neighborhoods and enables the City to maintain current levels of services. Clearly in a time of economic prosperity and increasing fiscal resources, the City would be able to improve services to existing neighborhoods. At a minimum, however, the City will strive to maintain adequate levels of service for existing neighborhoods by avoiding development at the fringe of the City which could divert these services.

Preservation of specific structures or special areas is a part of the urban conservation strategy. The objective of preservation goes beyond saving an individual structure or even a group of structures that may have architectural or historic significance. At a strategic level, preservation activities contribute visual evidence to a sense of community that grows out of the historical roots of San José's past. Historic and architectural structures add inestimable character and interest to the City's image. ■

- minimize their attractiveness to birds, insects and rodents.
15. Additional screening should be provided when topography and naturally occurring vegetation is insufficient to adequately screen a solid waste landfill site or its access road from the view of residences or public roads.
 16. The approval of solid waste landfill sites should include planning for their eventual phased restoration to recreational or open space uses, including revegetation with native plant species.
 17. Solid waste sites should be planned, located and maintained to mitigate potential negative impacts on surrounding land uses, particularly in residential areas. The effects of increased traffic and traffic hazards, noise and odor problems, pollution and potential littering of traffic routes, including windborne and waterborne litter, should be mitigated.
 18. Methane gas may be recovered from a closed solid waste landfill irrespective of the land use designation of the site.
 19. Only compatible uses should be located adjacent to an operating landfill or other regional publicly owned facility, such as the Water Pollution Control Plant.

Siting Criteria for other Solid Waste Management Facilities

20. Solid waste transfer/processing stations may be located in areas designated Heavy Industrial on the Land Use/Transportation Diagram if, during the development review process, it is determined that such a use would be compatible with existing and planned land uses in the vicinity of the site.
21. Solid waste reduction techniques, including source reduction, reuse, recycling, source separation and energy recovery, should be encouraged. ■

AESTHETIC, CULTURAL AND RECREATIONAL RESOURCES

Historic, Archaeological and Cultural Resources

San José has had a long and culturally rich history. The commonly held image of San José as the prototype of a rapidly growing suburban city tends to obscure the importance of earlier eras in the development of the community.

Long before the first European settlement, Native Americans resided in the area, settling along the many streams and creeks. The gentle climate, the Bay and its marshlands, the year-round streams, the oak groves, and rich agricultural land provided a favorable environment for American Indian villages.

The Pueblo of San José was founded November 29, 1777, as the first Spanish civil settlement in California. San José's story since then is one of the opening of a new land and the development and building of a civilization on the West Coast. In the years between the early-19th Century and the mid-20th Century, San José evolved into a commercial and governmental center based on the lucrative agricultural economic base. This fertile agricultural region attracted many immigrants who came to find their fortunes in the thriving agricultural community.

Today, San José is one of the nation's leading technological centers, attracting industry from all over the world. The invention of the silicon chip in the 1960's has transformed the agricultural center of the 1940's and 1950's into the "Silicon Valley" of today and the future.

Through San José's rich history, many sites and structures of historical and cultural

IV. GOALS AND POLICIES

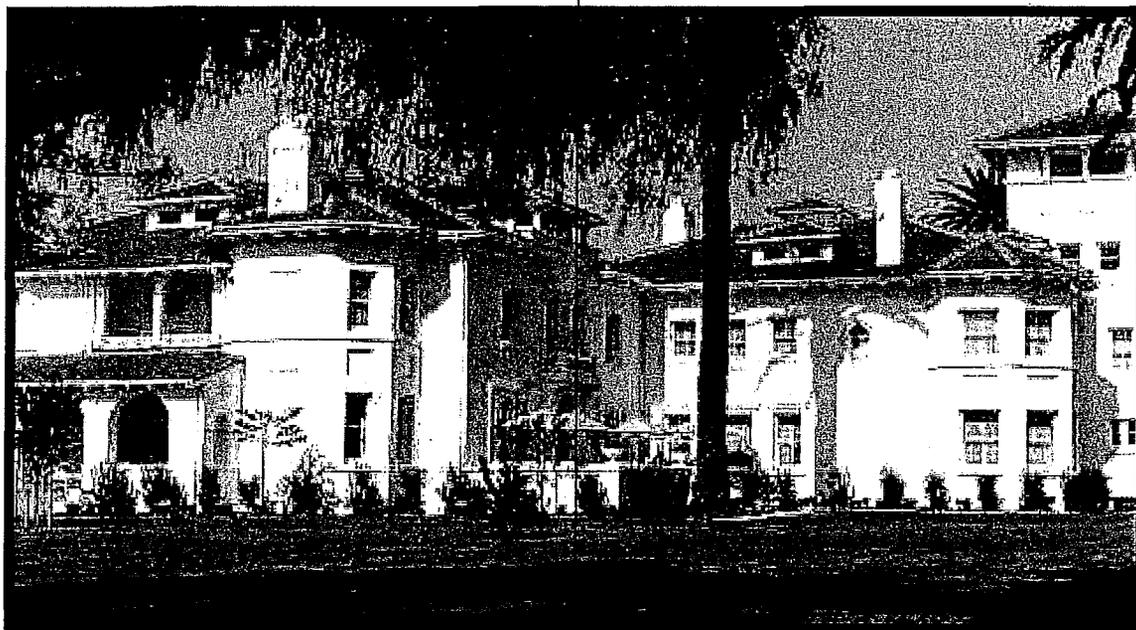


importance have been constructed. Some of these significant sites have been lost, but the many that remain can be preserved. In addition to individual sites, there exist many districts in which numerous structures, related by a common architectural style or by historical association, collectively constitute a significant resource.

The visual charm and character of these sites, structures and districts lend to the

revitalization of older neighborhoods and help to enhance community identity. In many cases, the fine architecture and craftsmanship of these early structures provide a living historical record for the present and future generations of San José.

An additional aspect of San José's historic and cultural heritage is that of archaeological resources. Native American artifacts and remains have been discovered in such



AESTHETIC, CULTURAL AND RECREATIONAL RESOURCES

Historic, Archaeological and Cultural Resources

archaeologically sensitive areas as creeksides and hillsides and provide an irreplaceable record of another civilization. San José's long and colorful history can provide a significant contribution to a sense of community identity. In order to enhance this identity, it is important to promote an awareness of San José's historic and archaeological heritage.

Historic, Archaeological and Cultural Resources Goal:

Preservation of historically and archaeologically significant structures, sites, districts and artifacts in order to promote a greater sense of historic awareness and community identity and to enhance the quality of urban living.

Historic, Archaeological and Cultural Resources Policies:

1. Because historically or archaeologically significant sites, structures and districts are irreplaceable resources, their preservation should be a key consideration in the development review process.
2. The City should use the Area of Historic Sensitivity overlay and the landmark designation process of the Historical Preservation Ordinance to promote and enhance the preservation of historically or architecturally significant sites and structures.
3. An inventory of historically and/or architecturally significant structures should be maintained and periodically updated in order to promote awareness of these community resources.
4. Areas with a concentration of historically and/or architecturally significant sites or structures should be considered for preservation through the creation of Historic Preservation Districts.
5. New development in proximity to designated historic landmark structures and sites should be designed to be compatible with the character of the designated historic resource. In particular, development proposals located within the Areas of Historic Sensitivity designation should be reviewed for such design sensitivity.
6. The City should foster the rehabilitation of individual buildings and districts of historic significance and should utilize a variety of techniques and measures to serve as incentives toward achieving this end. Approaches which should be considered for implementation of this policy include, among others:
Discretionary Alternate Use Policy Number 3, permitting flexibility as to the uses allowed in structures of historic or architectural merit; transfer of development rights from designated historic sites; tax relief for designated landmarks and/or districts; 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.
7. Structures of historic, cultural or architectural merit which are proposed for demolition because of public improvement projects should be considered for relocation as a means of preservation. Relocation within the same neighborhood, to another compatible neighborhood or to the San José Historical Museum should be encouraged.
8. For proposed development sites which have been identified as archaeologically sensitive, the City should require investigation during the planning process in order to determine whether valuable archaeological remains may be affected by the project and should also require that appropriate mitigation

IV. GOALS AND POLICIES

measures be incorporated into the project design.

9. Recognizing that Native American burials may be encountered at unexpected locations, the City should impose a requirement on all development permits and tentative subdivision maps that upon discovery of such burials during construction, development activity will cease until professional archaeological examination and reburial in an appropriate manner is accomplished.
10. Heritage trees should be maintained and protected in a healthy state. The heritage tree list, identifying trees of special significance to the community, should be periodically updated.
11. The City should encourage 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.

Parks and Recreation

Public parks and recreation areas are an important and necessary element of the urban community, providing for many of its open space and leisure activity needs. A sufficient supply of park land and open space is important to enhance the livability and the social and environmental quality of a city. A wide variety of parklands and facilities are needed to serve the City's many unique and diverse environments: the urban Core (Downtown), neighborhoods framing the Downtown Core, suburban neighborhoods and semi-rural hillside areas. Developed parks, natural open space areas and recreation facilities are necessary for a balanced and vital community. The manner in which open space is preserved and recreational lands and opportunities developed reflect the diverse interests of the City's residents. Neighborhood parks provide

recreation facilities close to home and are easily accessible to residents. In addition, open space areas provide other benefits, such as providing heat reduction during the summer months.

The City has actively pursued a program of park land acquisition. The City utilizes a variety of financing mechanisms, including the Parkland Dedication Ordinance, Park Impact Fee Ordinance and the Construction and Conveyance Tax, to acquire and develop park land.

As of 1992, approximately 16,300 acres of Federal, County and City owned public park land had been acquired within the City's Sphere of Influence. The majority of this land consists of County owned hillside open space, creekside park chains, and Federal owned wetlands as part of the San Francisco Bay National Wildlife Refuge. These areas comprise part of a regional park system which is envisioned to provide a "greenbelt" of open space around the urban area of the City. The City manages approximately 4,000 acres of this total acreage for neighborhood, district and citywide parks, park chains along several major waterways, community centers, historic facilities and sports facilities. Some of these sites have been developed for the delivery of a wide variety of leisure activities and other sites remain unimproved because of the City's limited budget for operations and maintenance costs associated with parks. In addition to lands owned by public park and recreational agencies, the parks and recreation system in San José also includes properties owned by private utilities, including the Santa Clara Valley Water District, the Pacific Gas and Electric Company, school districts and other agencies.

Flood control rights-of-way, utility corridors, school yards and water supply reservoirs are familiar examples of facilities which form an integral part of San José's recreation-oriented

Attachment 5

City of San José City Council Policy on Preservation of Historic Landmarks

City of San José, California

CITY COUNCIL POLICY

TITLE	PAGE
PRESERVATION OF HISTORIC LANDMARKS	1 of 2
APPROVED BY Council Action - Adopted December 8, 1998, Amended May 23, 2006	

PURPOSE/INTENT STATEMENT

Historically and architecturally significant structures, sites, and districts provide an irreplaceable link to the City's past, enrich the present and future with their rich tradition and diversity, and add inestimable character and interest to the City's image. Preservation of structures, sites, and districts is a part of the San Jose General Plan Urban Conservation/Preservation Major Strategy. At a strategic level, preservation activities contribute visual evidence to a sense of community identity that grows out of the historical roots of San Jose's past.

It is the policy of the City of San Jose that candidate or designated landmark structures, sites, or districts be preserved wherever possible. Proposals to alter such structures, sites, or districts must include a thorough and comprehensive evaluation of the historic and architectural significance of the structure, site, or district and the economic and structural feasibility of preservation and/or adaptive reuse. Every effort should be made to incorporate candidate or designated landmark structures into the future plans for their site and the surrounding area and to preserve the integrity of landmark districts.

APPLICABILITY

This policy affects any designated 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. (hereafter "landmark structure"). This policy also affects new construction within designated City, State, and National Landmark districts for purposes of district integrity.

REQUIREMENTS

- 1. Early Public Notification of Proposals to Alter or Demolish a Candidate or Designated Landmark Structure, or to Impact the Integrity of a Historic District.** In order to allow greater public input into decisions affecting historic landmarks, early public notification should be initiated in response to either of the following: 1) receipt by the City of a development application for a project proposing to alter the original character of a candidate or designated landmark structure or to potentially impact the integrity of a landmark district, or 2) prior to action by the City Council or Redevelopment Agency Board of Directors to commit public funding or other assistance to such a project or for acquisition of property containing a candidate or designated landmark structure or potentially impacting the integrity of a landmark district. Such notification shall be provided to the City Council, Historic Landmarks Commission and representatives of the historic preservation community.
- 2. Public Input and City Council Review.** As soon after the public notification as possible, public meetings on the proposed project shall be scheduled, as follows. In the case of a private development project with no City or Redevelopment Agency funding involved, the Historic Landmarks Commission shall hold a public meeting on the proposed project, to receive public comment and provide recommendations regarding information to be included in the analysis of the proposed project. In the case of a project incorporating City or Redevelopment Agency funding or other assistance, or acquisition of property containing a candidate or designated landmark structure or a structure or site located within a landmark district, the City Council shall agendaize

discussion of the project to receive public comment and provide early direction to the appropriate staff that either: 1) the project should continue forward through the appropriate review process, or 2) the Council does not support the proposed project and further staff work shall be discontinued.

3. **Preparation of Complete information regarding Opportunities for Preservation of the Landmark Structure, and/or the Integrity of the Landmark District.** The analysis of a proposed project which will alter the original character of a candidate or designated landmark structure or potentially impact the integrity of a landmark district shall include complete historic, architectural, and cultural documentation of the significance of the candidate or designated landmark structure, site, district, or compatibility of new construction within a landmark district, a comprehensive evaluation of the economic and structural feasibility of preservation and/or adaptive reuse of the structure, and an analysis of potential funding sources for preservation. This information shall be carefully reviewed and then be given strong consideration in the decision-making process for a project proposing to alter a candidate or designated landmark structure or the integrity of a district. Every effort should be made to preserve and incorporate existing

landmark structures into the future plans for a site and the surrounding area, and to preserve the integrity of landmark districts.

4. **Findings Justifying Alteration or Demolition of a Landmark Structure, or Impact to the Integrity of a Landmark District.** Final decisions to alter or demolish a candidate or designated landmark structure or to impact the integrity of a landmark district, must be accompanied by findings which either 1) document that it is not reasonably feasible for any interested party to retain the candidate or designated landmark structure or the integrity of the district, or 2) which record the overriding considerations which warrant the loss of the candidate or designated landmark structure or district integrity. The financial profile and/or preferences of a particular developer should not, by themselves, be considered a sufficient rationale for making irreversible decisions regarding the survival of the City's historic resources.
5. **Financial Resources for Preservation.** The City and Redevelopment Agency should identify City, State, and Federal funding resources to support and encourage the preservation and adaptive reuse of candidate or designated landmark structures, sites, or districts.

Attachment 6

**Title 2, Part 26
Historic Landmarks Commission**

Part 26 HISTORIC LANDMARKS COMMISSION

Sections:

2.08.2600 Commission established.

2.08.2610 Number of members.

2.08.2620 Special eligibility requirements.

2.08.2630 Functions, powers, and duties.

2.08.2600 Commission established.

The historic landmarks commission is hereby established.
(Ord. 25209.)

2.08.2610 Number of members.

The historic landmarks commission shall consist of seven members.
(Ords. 25209, 25636.)

2.08.2620 Special eligibility requirements.

A. Members shall be residents of the city, unless the city council specifically authorizes a nonresident member.

B. Members of the commission shall be persons having demonstrable interest and expertise in historic preservation.

C. Whenever possible, at least three members shall have professional expertise in one of the following disciplines: architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, to the extent such professionals are available in the community.

(Ord. 25209.)

2.08.2630 Functions, powers, and duties.

The commission shall have the following functions, powers, and duties:

A. Advise and make recommendations to the city council and the city manager, on the designation, acquisition and preservation of historic landmarks and sites, artifacts and other property of historic significance and value.

B. Encourage and promote the preservation of historic landmarks, sites, documents, paintings and other property connected with the history of the City of San José.

C. Advise and make recommendations to the city council and the city manager on policy matters relating to the preservation, exhibition and protection of artifacts and other property of historic significance and value located and housed at the San José Historical Museum and Museum Complex.

D. Advise and make recommendations to the city council and the city manager relating to the acceptance and use of gifts of benefit to the San José Historical Museum, including:

1. Artifacts and property of all kinds of historic significance; and
2. Money given for their acquisition, preservation and exhibition; and advise and make recommendations to the city manager on acceptance of those gifts and money. Gifts of money shall be deposited in appropriate city funds and be used for the purposes given.

E. Advise and make recommendations to the city council and the city manager for disposal of historical properties which are surplus to the needs of the city or its historical museum; and particularly advise and make recommendations to the city manager relating to the sale, exchange or other disposal of surplus historical properties.

(Ord. 25209.)

Attachment 7

**The Recent Past in Local
Preservation Programs**

The Recent Past in Local Preservation Programs

A NEW APPROACH OR BUSINESS AS USUAL?

Many communities are now considering how to treat properties of the "Recent Past," those buildings that represent post-World War II development in America that now may have historic significance. A substantial number of buildings, sites and neighborhoods are in this group. These include residential suburbs, as well as mid-century commercial strips, thematic "Googie" buildings and early Modernist designs. There is substantial debate about the significance of these properties and how they should be treated.

If traditional preservation theory is applied and these properties are designated as historic landmarks and districts, will the public understand? And what does designation mean in terms of how alterations may be permitted? Can planning departments even handle the administrative requirements of this expanded historic resource inventory? Finally, should the same standards for treatment used for earlier resources be applied to these newer types?

These are some of the questions that planners face today as they respond to public interest in the thousands of properties that are now reaching 50 years of age, and even other buildings that are not so old but that may be considered historically significant?

1. The term "Recent Past" includes a wide range of property types and contexts. A one-size-fits all approach may not be viable because of this diversity.

2. There are many advocates for the Recent Past. This expands the range of viewpoints about how to deal with these resources. Planners must include these groups in the preservation planning process.

3. The focus has been on gaining recognition for these resources. Now the discussion needs to expand to the way in which these properties are managed. This includes how they are designated and how design review is handled. There is much less debate about how to treat them once they are designated. Planners will face this issue in updating their preservation policies as listing of resources increases.

This Working Paper was prepared for the APA Workshop, "Emerging Trends in Historic Preservation" at the National Planning Conference, Las Vegas, April, 2008 by Noré Winter.

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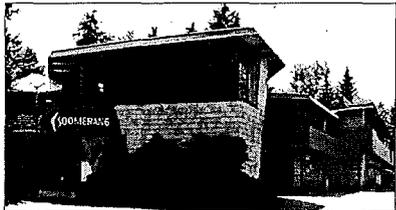
Note that this paper focuses on buildings of the Recent Past. There are landscapes and other types of structures that also may have significance, and some of the ideas discussed here may apply to them as well, but these property types merit a different discussion.

INTRODUCTION TO THE RECENT PAST

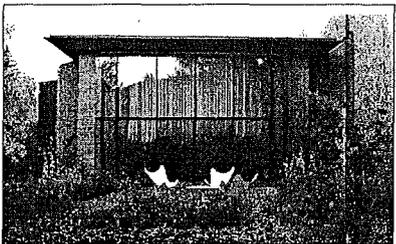
Recent Past Resources in Aspen, Colorado:



To many people, Aspen is known for its Victorian era buildings, especially downtown. But the city has also been an avid advocate for modern designs. The continuum of design thinking is a part of the city's heritage.



Other lodges of the 1960s expressed a different approach to western resort architecture.



Many other buildings in Aspen reflect contemporary design approaches of a range of noted architects.

What is "The Recent Past?"

The term "Recent Past" is used by some in the preservation profession as a general category to describe properties that date from after World War II and even more recently. In part, it helps to convey a concept that these properties are considered to be different from earlier properties that we normally consider historically significant.

The Recent Past includes: Properties that recently have become 50 years old and are therefore eligible for consideration for historic significance using conventional criteria.

Properties that are even younger than 50 years that may also be eligible, using more specialized criteria for determining significance.

What we consider to be the Recent Past is ever-changing as time moves on. A few decades ago, some preservationists were arguing that early roadside architecture should be recognized. But we now



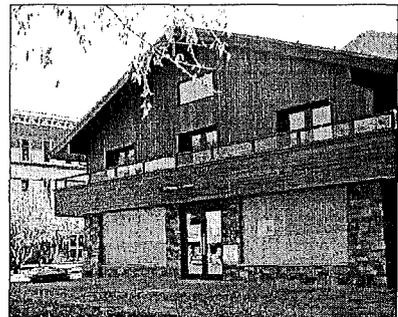
Bavarian inspirations were reflected in early ski resort architecture.

are in agreement that, as Chester H. Llebs, Professor Emeritus of History, University of Vermont notes: "Today the preservation of 1930s and 40s shop fronts, historic signs, and especially highly iconic examples of roadside architecture has become a mainstream activity." Now, the Recent Past usually means newer, post-war buildings.

What types of properties are included in the Recent Past?

There are several ways that preservationists classify Recent Past resources. Some organize them by use. Others organize by a combination of styles and materials; still others by themes. These are some of the major categories:

- Post War II Subdivisions
- Google Highway Strip Commercial
- Modernist Commercial buildings
- Public facilities
- Custom-designed homes



Bavarian commercial building being altered in October, 2006.

IDENTIFYING RECENT PAST RESOURCES

How do preservationists identify Recent Past Resources?

As with older resources, Recent Past properties must have historic significance.

What is significant about Recent Past resources?

Properties may be significant because:

- They represent the emergence of an automobile-oriented society.
- They represent the way of life in America during a period of significant growth and change.
- They represent key movements in architectural design, such as Modernism and the International Style.
- They represent experiments in new materials, building technologies and manufacturing processes.
- They represent important events in history.

Is determining significance for Recent Past resources different from traditional ones?

Yes and no. Some preservationists argue that these resources are part of a continuum and should be evaluated using the same criteria as earlier property types. They also maintain that they should be listed in a similar manner.

There is, however, a counter-argument afoot. Others contend that there are too many of these resources, and that the public will not understand, or support, the designation of vast numbers of these resource types. This raises a question about the connection between designation and protection.

Should Recent Past Resources be held to a higher standard for listing?

Some argue that because there are so many properties that are reaching an age to be considered historic, we will be overrun with them. This is a legitimate question. If we use the same methods for listing and for "protecting" these resources, the system at a local level could become overburdened.

Are we simply coming to understand the significance of these resources?

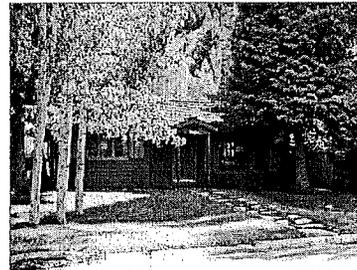
Is the current "awakening" to significance of the Recent Past a typical phase for recognizing a period of history? There was a time when Victorian buildings were considered garish and of poor taste. At that time, an earlier generation of buildings from Federal to Greek Revival, was valued, but later building types were not. In time, of course, Victorian and Edwardian era properties, and even entire neighborhoods and downtowns, came to be valued for their historic significance.

Log Kit Buildings
(This is actually a subset of the Rustic Style.)
(Early 1950s to 1970 in Aspen)

Pan Abode is a brand name for log kit houses available beginning in 1952. These buildings were also manufactured by other companies as early as 1948. The logs were milled, tongue and groove and came pre-cut and notched for easy assembly. The system was popular in Aspen for ski lodges and modest homes. These often employed fixed pane windows.

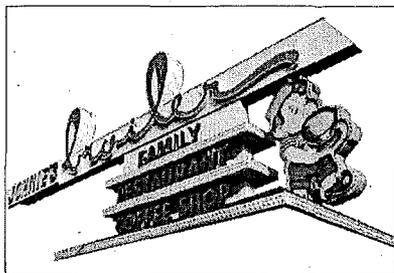
Characteristics:

- machine shaped logs
- projecting second story gable ends
- exposed rafter tails
- large roof overhangs
- floor plans rarely conform to the topography of the site



The house at 211 W. Hopkins was built in 1956 and is an example of a log kit building.

The Aspen, CO design guidelines includes descriptions of Recent Past building types.



Johnie's Broiler, in Downey, California has been the focus of a recent preservation controversy. Substantially demolished in 2007, a rescue plan is now under way.

Should communities use a higher standard of significance to designate Recent Past resources?

Some communities designate Recent Past resources, but limit the numbers that can be listed by applying more rigorous criteria. The properties must represent the "best" of the type, in terms of design and quality of construction. They do because:

- There is concern that the public will not support a broad designation because they do not value most of these properties.
- The community cannot administer a conventional protection system (that is, design review and permitting process) for a larger number of properties.

What is the point of the "Fifty-Year Guideline?"

The fifty-year threshold has been a long-standing guideline for classifying which properties may be considered for historic significance. The concept has been that a "cooling off" period of time is needed in order to provide a perspective on what may be historically significant. Reaching the fifty-year mark, however, does not in itself mean that a property IS historically significant. It simply serves as a first-step test on the path to determining significance.

Is the Fifty-Year Guideline still relevant?

Yes, the age guideline remains relevant for many property types and for many communities. However, there are communities that use shorter time spans as thresholds. Some have adopted a forty-year limit, and some others use thirty years. These shorter time spans come with a heightened understanding, however, of what may constitute historic significance.

DESIGNATING RECENT PAST RESOURCES

A survey may identify Recent Past resources that have historic significance, but then what? Should they be entered into the local register of historic resources, or are there other options? That is, it's important to separate "Identification" from "Designation" at least at the local level.

(Note that some state laws convey some level of protection automatically to inventories that identify historic resources, even if they are not officially listed in a local register.)

What are the options for designating Recent Past resources?

Recent past resources may be designated in these ways:

National Register of Historic Places

To be listed in the National Register, a special criterion, Criterion G, is used for properties less than 50 years old. The regular provisions for consideration of effects of federal undertakings apply, as do the tax credit incentives.

State Historic Register

A state register often mirrors the National Register listing, although several states include properties that sometimes would not meet Park Service criteria. This listing brings a certain degree of recognition and may also be linked to other state regulations and incentives.

Local historic register

Under local ordinances, communities may create their own criteria for designation. While many model their process after the National Register, some take a different approach. These typically involve discretionary design review, with

guidelines applied by a preservation commission. This approach is particularly useful for individual "landmarks" from the Recent Past, and also in cases where a Recent Past resource stands within a historic district, even of older property types.

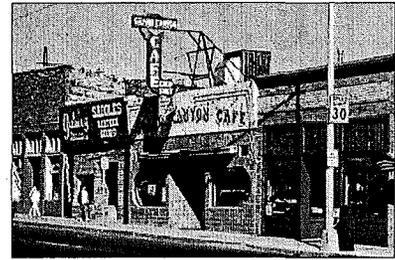
Conservation District

In some cases, an alternative listing is used. In some more recent neighborhoods, for example, cities may use a conservation district approach. A conservation district may take many forms. Some are very similar to historic districts, and use a discretionary design review system. Others use prescriptive standards. The emphasis is usually on protecting the overall character of a neighborhood, discouraging demolition and assuring compatible infill. There is less focus on alterations to historic properties themselves. This approach may be useful for a 1960s residential subdivision, where the overall character as perceived from the street is the primary concern.

Zoning Overlay

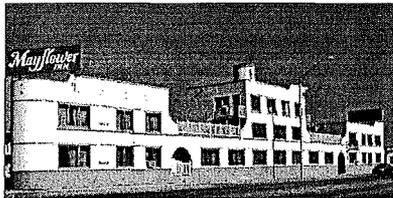
Other communities adopt finely tuned zoning standards that are form-based, to promote compatibility. These are administered by zoning staff in a prescriptive manner. These regulations also can discourage demolition, and promote retaining overall neighborhood character. In terms of dealing with the Recent Past, this approach may be of value for an older commercial strip, for example.

There will be community conversations about significance and the alternatives for listing and protection that planners must be prepared to address, as well to help frame an informed discussion.



Flagstaff, Arizona: A Route 66 storefront is framed by older facades of the early twentieth century.

The National Trust for Historic Preservation hosted a "Recent Past Forum" in Phoenix in March 2005. Some of the discussions from that meeting were published in the Trust's Forum Journal, Fall 2005 issue. This remains a good summary of key issues and is a good starting point for planners who are seeking to gain an overview of the issues.



Thematic architecture, such as the Buccaneer Motel in Galveston, is a category of Recent Past resources. (Demolished)

TREATMENT AND PROTECTION

What are the "threats" to Recent Past resources?

Recent Past properties may be susceptible to demolition or at least substantial alteration. Just as late Nineteenth Century buildings were often "modernized," there is similar pressure on Recent Past buildings. Some of the reasons:

- Alterations to "modernize" the property
- Replacement where land values now support more square footage
- Alterations to improve efficiency and operations
- Adaptation to new uses

Today, there is much interest in "infilling" existing residential and commercial neighborhoods. This could place pressure upon older buildings, including Recent Past resources. Since many subdivisions and commercial strips are one story in height, they are appealing places to increase density. Do the same standards apply? If so, how?

A key is in how the "Character defining features" are described.

Can we administer all of these resources in the same way?

Identifying Recent Past resources, and even listing them to a local register may be politically possible, but how will local governments administer the increased number of resources?

When designation occurs at the local level, there is a potential disconnect that can occur. If the approach for treatment is not clearly defined for Recent Past properties, then "knee-jerk" responses may complicate future design review of rehabilitation proposals.

Materials Conservation Issues

In some cases, the buildings materials, and the component systems made of them, have proven to be less durable than older building materials. Many building systems related certain types of Recent Past buildings are not necessarily "green." They may not be as energy efficient as earlier buildings. Their repair is often difficult and replacement in kind may be impossible. On the other hand, demolition of these buildings poses another set of environmental and land fill issues.

Many new building systems were tested, and some have proven to have relatively short life spans. In some cases, this may have been unexpected but in others was intentional, where new buildings were seen as short term responses to market demands.

Design Issues

Related to technical questions is the spirit of design for Recent Past properties and what role this plays in their preservation.

The restoration of the Lever House in New York is an example. Designed by Skidmore, Owings & Merrill's Gordon Bunshaft and completed in 1952, Lever House was one of the first Modernist buildings to be saved through the landmark process in New York. It was listed in 1983, when the property was 31 years old, in response to a demolition proposal. Designation was hard-won. Restoration twenty years after listing proved challenging as well.

A full-scale rehabilitation was proposed in 2002. In developing a treatment approach, the architects determined that the glass wall system was undermined by

its own 1950s technology. Moisture had penetrated and corroded the mullion system, and almost none of the original glazing remained. The entire system, including glass and mullions, was replaced. In the replacement system, the plates of glass are actually twice the width of the originals, because new technologies permitted larger sizes, and their use was a cost savings. False mullions were added to maintain the look of the original glass proportions. The New York City Landmarks Commission determined that this was an appropriate balancing of two objectives. That is, preserving the design character while continuing to innovate with new building systems and technologies.

Design Guidelines

Planners working in local preservation programs face a special challenge when writing design guidelines for Recent Past properties. One of the signature features of many early Modernist designs was the search for technological innovation, and the experimentation with new materials and systems. When it comes to respecting these characteristics, there are two different concepts:

- (1) Preserve the original materials and systems as they are, even if they are less efficient than new ones, because they are a part of the historical record.
- (2) Preserve the intent, including the design concept. This may accommodate replacing systems with new ones that have better performance features, while retaining overall character.

Many successful rehabilitation projects of Recent Past resources will incorporate some of both approaches. The concern is that, without informed discussion and appropriate guidelines, a review board may take an approach that is too narrow. Planners will need

to assure that preservation guidelines for Recent Past properties are clearly articulated to address these different views.

Must there be a separate set of guidelines for Recent Past Properties?

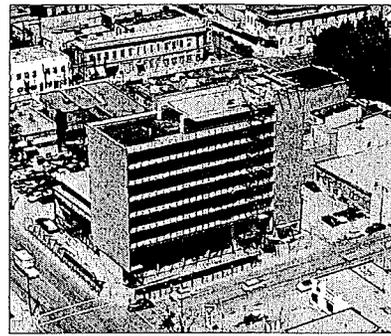
Some preservationists argue that, indeed, different guidelines should be used, ones that are perhaps more "flexible" than those applied to older properties. This has some appeal, but raises a question about consistency in a preservation program.

On the other hand, it may be possible to apply the same guidelines, if thought is given to defining what the key features of the property are. In the conventional dogma of preservation treatment, determining where an alteration to the historic building is appropriate relies upon a consideration of how "key character-defining features" would be affected. These features are elements that are essential to the integrity of a resource and proposals that would diminish the integrity are generally discouraged.

In a traditional historic resource, key features include the overall building form and proportions, its materials, and signature design features. These later elements are often on the front of a structure, or those portions that are prominently viewed from the public way. Features on subordinate building elevations are considered to be less critical, and therefore more flexibility for alteration is given to them.

The original design intent of a Recent Past property may also be a key feature. That is, if the composition was clearly arranged to be symmetrical, then an alteration that would violate that symmetry may alter the perception of the original design intent.

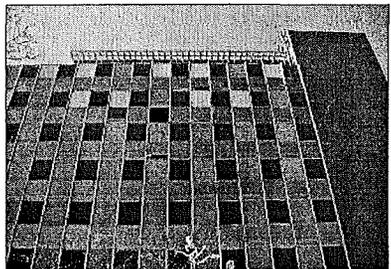
The Colorado Building, Boulder, CO:



The Colorado Building was an early entrant into International Style commercial high rise in Boulder. Erected before the city established a height limit of 55 feet, it remains the tallest structure in the downtown. It therefore reflects a significant change in city planning policies, as well as experimentation in modern design of the time.



In the early 1990s, the ground level of the Colorado Building was altered. The original grid system was removed and a sloped panel system was installed. Ceramic tile was also introduced.



Spandrel panels were also painted in a chromatic range of colors in the 1990s.

Resources

There are many web sites that address preservation of Recent Past resources. This is a short list, as a starting point.

National Park Service:
www.cr.nps.gov/hps/recentpast/

National Trust for Historic Preservation:
www.preservationnation.org

Recent Past Preservation Network:
www.recentpast.org

Society for Commercial Archeology:
www.sca-roadside.org/

There are also many active organizations in cities across the nation, including.

The current project to rehabilitate the United National Headquarters in New York is a case in point. David Fixler, an architect with Einhorn Yaffee Prescott Architects Involved in the project, noted in a presentation before DOCOMOMO International Conference in 2004:

“How the idea of newness and its parallel of progress remain significant to the symbolism of the UN, and when to celebrate or conceal the aging process of the last 50 years will therefore become critical issues to address as the renovation design evolves.”

In formulating renovation strategies for buildings of the Recent Past it is often the case that the factor of original design intent is used as a tool with which to engage the building; in order to best determine how the history of the work might inform its renewal.

With the emphasis of the architecture of the Modern movement upon the building as the manifestation of an idea, including the notion that modern architecture reflects the transitory nature of the modern world itself, material permanence was not a dominant concern in expressing an architectural concept.”



Suburban ranch neighborhood in Denver, CO.

Attachment 8

National Register Bulletin Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Past Fifty Years



NATIONAL REGISTER BULLETIN
GUIDELINES FOR EVALUATING AND NOMINATING
PROPERTIES THAT HAVE ACHIEVED SIGNIFICANCE
WITHIN THE PAST FIFTY YEARS

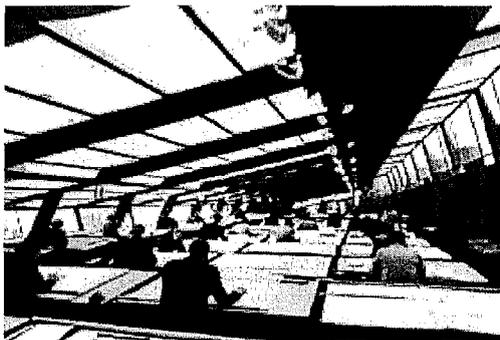
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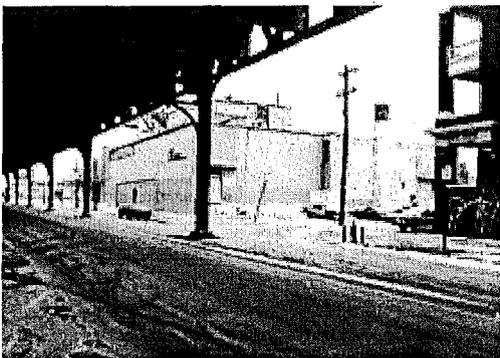
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U.S. Department of the Interior, National Park Service

I. INTRODUCTION



The interior of the Drafting Studio at Taliesin West, Maricopa County, Arizona, illustrates the unique method of architectural training available at Taliesin West, which had exceptional influence on post-World War II architectural design in the United States. (Courtesy of the Taliesin West Foundation, 1964)



As the home of the American Bandstand program from 1952 to 1963, the 1947 WFIL Studio in Philadelphia, Pennsylvania, is exceptionally significant in the early development of the television industry. (Susan Shearer, 1986)

Properties that have achieved significance within the past 50 years may be listed in the National Register of Historic Places, according to the National Register Criteria for Evaluation, only if they are of "exceptional importance," or if they are integral parts of districts that are eligible for listing in the National Register. This principle safeguards against listing properties which are of only contemporary, faddish value and ensures that the National Register is a register of **historic** places.

The Criteria for Evaluation are not designed to prohibit the consideration of properties whose unusual contribution to the development of American history, architecture, archeology, engineering, and culture can clearly be demonstrated. The Criteria for Evaluation provide general guidance on National Register eligibility. However, the 1966 National Historic Preservation Act did not assume that significance could be a matter of rigid, objective measurement. It specifically encourages the recognition of locally significant historic resources that, by appearance or association with persons or events, provide communities with a sense of past and place. The historical value of these resources will always be a combined matter of public sentiment and rigorous, yet necessarily subjective, professional

assessment. Hence the Criteria for Evaluation, including their discussion of properties of recent significance, were written to offer broad guidance based on the practical and philosophical intent of the 1966 Act.

As a general rule, properties that have achieved significance within the past 50 years are not eligible for National Register listing because the National Register is intrinsically a compilation of the Nation's **historic** resources that are worthy of preservation. The National Register does not include properties important solely for their contemporary impact and

visibility, and it rarely is possible to evaluate historical impact, role, or relative value immediately after an event occurs or a building is constructed. The passage of time is necessary in order to apply the adjective "historic" and to ensure adequate perspective. To be a useful tool for public administration, the National Register cannot include properties of only transient value or interest. The passage of time allows our perceptions to be influenced by education, the judgment of previous decades, and the dispassion of distance. In nominating properties to the National Register, we should be settled in our belief that they will possess enduring value for their historical associations, appearance, or information potential.

Fifty years is obviously not the only length of time that defines "historic" or makes an informed, dispassionate judgment possible. It was chosen as a reasonable, perhaps popularly understood span that makes professional evaluation of historical value feasible. The National Register Criteria for Evaluation encourage nomination of recently significant properties if they are of exceptional importance to a community, a State, a region, or the Nation. The criteria do not describe "exceptional," nor should they. Exceptional, by its own definition, cannot be fully catalogued or anticipated. It may reflect the extraordinary impact of a political or social event. It may apply to an entire category of resources so fragile that survivors of any age are unusual. It may be the function of the relative age of a community and its perceptions of old and new. It may be represented by a building or structure whose developmental or design value is quickly recognized as historically significant by the architectural or engineering profession. It may be reflected in a range of resources for which a community has an unusually strong associative attachment. Thus a complete list of exceptionally significant resources cannot be prepared or precise indicators of exceptional value prescribed. The following discussion offers guidance for the reasoning and evaluation applicable to properties that have achieved significance in the past 50 years. It also offers direction on preparing Statements of Significance for National Register nominations (Section 8 of the National Register registration form, NPS Form 10-900)

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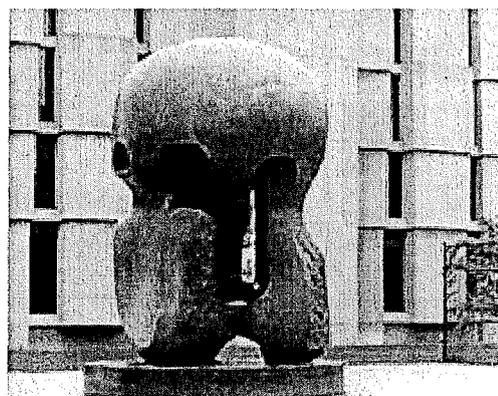
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V. TIME

There are several specific issues relating to time that should be addressed in evaluating a less than 50-year-old property. The 50 year period is an arbitrary span of time, designed as a filter to ensure that enough time has passed to evaluate the property in a historic context. However, it was not designed to be mechanically applied on a year by year basis. Generally, our understanding of history does not advance a year at a time, but rather in periods of time which can logically be examined together. For example, events that relate to the Cold War can best be evaluated in relation to other events or properties from the same period. This means that our ability to evaluate properties moves forward in uneven leaps of years.



Nuclear Energy, sculpture by Henry Moore commemorates the first controlled nuclear chain reaction. The site, on the campus of the University of Chicago, was declared a National Historic Landmark in 1983. Chicago, Cook County, Illinois (Blanche H. Schroer, National Park Service, May 1975)

It should be determined whether the period under consideration calls for a routine historical evaluation or whether the period needs to be viewed in the context of exceptional importance. Without such a determination, certain properties which have just passed the 50-year point might be given greater value, and those just less than 50 years old might be inappropriately ascribed less importance, when the resources should have been evaluated together to determine their relative significance. Several such periods have been examined since the National Historic Preservation Act was passed in 1966. The 50-year period at that time did not yet include World War I. Soon after the law was passed properties related to the First World War were evaluated—but that evaluation only made sense when examined for the entire war, not on a yearly basis. Similar leaps have been involved with the "Roaring Twenties" and the Depression and the Federal government's response to it. During the past 20 years we have been able to evaluate and list properties, in many categories, constructed or achieving significance during those years, including: Federal projects during the Depression and World War II, the development of air transportation, Art Deco and the International styles of architecture, scientific advances, and sites related to numerous political and social events and individuals. There is now sufficient perspective to enable an evaluation of a number of properties related to the post-World War II era. Some topics for evaluation under Criteria Consideration G include post-World War II development projects; the growth of suburban subdivisions, shopping malls and commercial strip development; the expansion of educational, recreational, and transportation facilities;

the Civil Rights movement; the advent of the United States space program; the Vietnam War; and the impact of historic preservation on American cities, towns, and rural areas. An evaluation of some of these categories of resources before others might be possible, either because specific scholarly studies are available, or there exists general historical knowledge about the period or the significance of the resource. A second consideration regarding time is that the appropriate date from which to evaluate a property for exceptional significance is not always the date of construction, but rather, the point at which the property achieved significance. The significance of an architecturally important property can be charted from the time of its construction. But the significance of properties important for historical associations with important events or persons should be dated from the time of the event or the period of association with a historically important individual. For example, Flannery O'Connor's home, Andalusia, in Milledgeville, Georgia, is significant for its association with O'Connor. She was renowned as a short-story writer of the post-World War II generation, who used the Southern landscape as a major force in shaping her fiction. The period of significance clearly begins in 1951 when she moved there, rather than the early 20th century when the complex of buildings was constructed. Thus, although a property may be more than 50 years of age, if it is significant solely for a reason that dates from within the past 50 years, it must be exceptionally important to be listed in the National Register.



Associated with author Flannery O'Connor's productive career, 1951- 1964, Andalusia, Milledgeville, Baldwin County, Georgia, is where O'Connor lived and did most of her writing. (James R. Lockhart, Georgia Department of Natural Resources, June, 1979)

Third, the more recently a property has achieved significance, generally, the more difficult it is to demonstrate exceptional importance. The case for exceptional importance is bolstered when there is a substantial amount of professional, documented materials on the resource and the resource type. A property listed in the National Register 10 or 15 years after it has achieved significance requires clear, widespread recognition of its value to demonstrate exceptional importance. For example, Dulles International Airport Terminal, Loudoun County, Virginia, built in 1962, was determined eligible for the National Register in 1978. That action was based on the ability to evaluate the building compared with other modern buildings

and recent airports. Dulles Airport was immediately recognized as one of the most important post-World War II American architectural masterpieces and one of the most innovative airport designs. A 1976 American Institute of Architects' poll selected the building as the third most significant building in the Nation's first 200 years. The building has been widely recognized in professional publications as exceptionally important in the history of American architecture.

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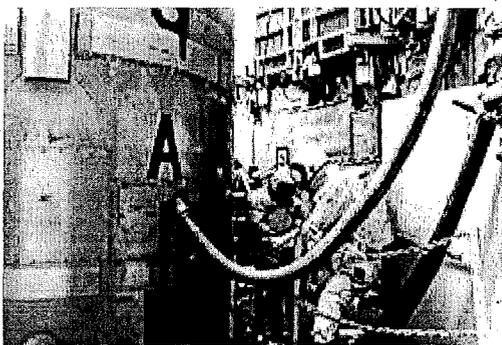
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X. EXAMPLES

The following properties, whose period of significance extends to less than 50 years ago, have been listed in or determined eligible for the National Register. The list is not exhaustive, but is intended to illustrate the range of such National Register properties. The thematic approach, that is, studying all or most of the properties related to a historic theme in a given area may be used in nominating groups of historic properties associated with the post-World War II era. The Multiple Property Documentation Form is an excellent way to evaluate and nominate groups of properties. While all properties must meet at least one of the National Register Criteria, many qualify for more than one. **Criterion A** recognizes properties that have made a significant contribution to the broad patterns of our history. **Criterion B** allows the listing of properties that are associated with the lives of persons significant in our past. **Criterion C** recognizes properties that are architecturally significant. And **Criterion D** applies to properties that have yielded or may be likely to yield information important in prehistory or history. (See section XIII, National Register Criteria for Evaluation.)



The Titan II ICBM Missile Site 8 (571- 7) in Pima County, Arizona, was listed in the National Register in 1992. This view shows a simulated vapor detection check by propellant transfer technicians. (David K. Stumpf, 1992)

Under National Register Criterion A, properties associated with a variety of exceptionally important historic events have been listed. For example, the inception of the American space program can now be viewed in a historic perspective. Properties in the National Register associated with the space program include research centers, such as the Propulsion and Structural Test Facility at the George C. Marshall Space Flight Center in Huntsville, Alabama, and the Zero Gravity Research Facility at the Lewis Research Center in Cleveland, Ohio; launch sites, including Cape Canaveral Air Force Station in

Florida, and Space Launch Complex 10 at Vandenberg Air Force Base in Lompoc, California; flight control facilities, such as the Apollo Mission Control Center in Houston, Texas; and space vehicles such as the Saturn V in Huntsville, Alabama.

The Fleischmann Atmospherium Planetarium in Reno, Nevada is exceptionally important under Criterion A for its role in scientific research and education in Nevada. It was the first planetarium in the nation to feature a 360-degree projector capable of providing horizon-to-horizon images, and through time-lapse photography, show an entire day's weather in a few

minutes. In another example, the Student Center of Alaska Pacific University in Anchorage, Alaska, served as the site of the 1971 Alaska Federation of Natives conference, which led to the momentous Alaska Native Claims Settlement Act of 1971. This act represented the largest compensation ever paid to Native settlement claims. This property was evaluated as exceptionally important under Criterion A.

In Topeka, Kansas, the Monroe School, now known as the Brown v. Board of Education National Historic Site, is significant as the property associated with the 1954 landmark United States Supreme Court case, *Brown v. Board of Education*. In that decision, a state's action in maintaining segregation by providing "separate but equal" public facilities was found unconstitutional. As a result, the 21 States with segregated public schools were forced to desegregate them. In 1994, the property was added to the National Park System.

Under National Register Criterion B, the homes of exceptionally important persons, representing many fields of endeavor have been recognized. The Charlie Parker House in New York City is significant as the home of Charlie "Bird" Parker, creator of a jazz genre known as "be-bop," between 1950 and 1954. During his residency at the house, his career as a jazz master and prominent recording artist was established. The Silver Spring, Maryland home of Rachel Carson was designated a National Historic Landmark. Occupied by her from 1956 to her death in 1964, the house is where she wrote *Silent Spring* which drew public attention to the poisoning of the earth and catapulted her to the forefront of the environmental protection movement. Carson designed and oversaw the construction of the house to provide the domestic environment she needed for writing.

Under National Register Criterion C, properties of recent vintage have been shown to have an exceptional impact at a variety of scales. The Lever House building in New York City, constructed between 1950-1952, is architecturally significant as one of the country's first corporate expressions of the International style in post-World War II America. The Norris and Harriet Coombs "Lustron House" built in Chesterton, Indiana, in 1950 is of exceptional architectural importance at the local level as a rare and intact example of a significant manufactured housing type employing an unusual building material. The Lustron House was constructed with a steel framing system to which porcelain enameled steel panels were attached. The house fits into the prefabricated housing tradition well established by firms such as Alladin and Sears in the early 1900s. The Onondaga County War Memorial, constructed in Syracuse, New York, between 1949 and 1951, is of exceptional architectural importance at the local level as an early example of a "living memorial" erected in the post-World War II era to commemorate duty in the armed services.

Important feats of engineering constructed within the past 50 years also have been recognized in the National Register, such as the Gateway Arch in St. Louis, Missouri, designed in 1947 and constructed between 1963 and 1968, and listed under Criterion C.

The 1956 Solar Building in Albuquerque, New Mexico, was listed in the National Register in the area of engineering because it was an early solar-heated commercial building, the equipment for which survived largely intact. It was constructed when active solar-energy systems were still considered experimental.



Completed in the spring of 1950, this pre-fabricated, all-metal Lustron House, Porter County, Indiana, was considered by many at the time to be the house of the future. (Beverly Overmeyer, April, 1992)

It is often challenging to evaluate architectural properties of the post-World War II era one at a time. Several States have effectively used a thematic approach and the Multiple Property

Documentation Form to evaluate and nominate groups of properties that usually qualify under Criterion C as examples of particular architectural styles or methods of construction. The National Register listed several residences in North Carolina nominated under the name "Early Modern Architecture Associated with North Carolina State University School of Design." Dating from 1950 to 1968, the nominated buildings employed structural innovations, were publicized widely in national and regional architectural periodicals, and form a distinctive body of work with identifiable traits from the beginning to the end of the period of significance.

In a similar fashion, the State of Iowa prepared the "Iowa Usonian Houses by Frank Lloyd Wright MPS." Constructed between 1948 and 1960, the nominated properties grew out of Wright's second great productive period in his long career. The Usonian house "offered the hope that middle-income families could build affordable homes of great architectural quality during times when Americans faced unprecedented demands for affordable, single-family housing." The properties share the physical qualities of "a rigid geometry, horizontal detailing, warm colors, 'natural' materials, and a solid, sheltering character." The Iowa Usonian houses illustrate Wright's creative approaches to cost control through standardization and use of common materials.

Sites nominated to the National Register under Criterion D, because they "have yielded or may be likely to yield information important in prehistory or history," are also very difficult to justify if they are derived from activities of the past 50 years. Scholarly information sufficient to determine the comparative value of recent archeological sites tends to be very limited. It is especially difficult to determine what kinds of information can be derived from site remains as opposed to that available in written records, oral testimony, and photographs. This cautionary point does not constitute a prohibition of all such nominations, but it does illustrate the need for justifying and documenting the exceptional importance of recent archeological sites.

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Attachment 9

CEQA and Historic Preservation

Attachment 9

CEQA and Historic Preservation

State law, specifically the California Environmental Quality Act (CEQA), calls for the evaluation of existing structures, sites and areas in order to identify, disclose impacts to, and develop feasible preservation alternatives for significant historic resources. In determining whether there is a significant impact to historic resources, there is a two-part test: (1) is the building “historically significant” and (2) would the project cause a “substantial adverse change” in the significance of the resource?

1. **Significant Cultural Resources**

- Listed on or determined eligible for National Register, Cal Register, City Landmark or Landmark District.
- Not every structure on the City’s Historic Resources Inventory is considered a significant resource. Structures of Merit and Conservation Areas are not significant for purposes of CEQA, don’t require EIRs.

2. **Significant Impact to Cultural Resource**

- Substantial adverse change means demolition, destruction, relocation or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
- Impact can be both direct (demolition or substantial alteration) or indirect (incompatible adjacent project) by substantially altering the resource’s setting or context.

3. **Typical mitigation options**

- Project redesign per Secretary of the Interior’s Standards to avoid impact.
- Resource relocation to an appropriate site that meets the Secretary of the Interior’s Standards.
- If redesign or relocation not feasible, project will have a significant impact and City must prepare an EIR.
- No mitigation is available when a project proposes demolition or substantial alteration that would reduce the significant impact to a less than significant level and avoid an EIR.

4. **Alternatives**

- When a project involves demolition or substantial alteration, City must consider alternatives that avoid the impact while achieving basic project objectives.
- Alternative designs must be explored for adaptive reuse that meet the Secretary of the Interior’s Standards to reduce the impact to a less than significant level.

5. **CEQA Implications**

- Projects involving demolition of significant historic resources can be litigated on CEQA grounds, i.e. Employee Parking Garage, Lowe’s/IBM Building 025
- If litigation challenging City’s action is successful, the court would overturn the City’s actions. In that event, the City would have to repeat the CEQA process to satisfy the court, and the project would be substantially delayed.

Attachment 10

Historical Overview and Context for the City of San José

**HISTORICAL OVERVIEW AND CONTEXT
FOR THE
CITY OF SAN JOSE**

SUBMITTED TO THE
PLANNING DEPARTMENT OF THE CITY OF SAN JOSE

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MARCH 30, 1992

HISTORIC OVERVIEW AND CONTEXT
FOR THE
CITY OF SAN JOSE

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HISTORICAL CONTEXT AND THEMES

INTRODUCTION

The first step in effectively evaluating the significance of historic properties is the understanding of the historical context of the region. The development of San Jose's cultural landscape is complicated by the immigration of different cultural groups, resulting in a contemporary landscape that is an accretion of layer upon layer of values and uses imposed on the land through time. The goal of this report is to discuss and summarize important aspects of San Jose's economic, social, cultural, and political history in order to provide a contextual framework for the evaluation of the city's historical resources. Because San Jose did not develop in a vacuum, it has been necessary in many cases to discuss county, state, or national developments and the impact of these events or trends to development in San Jose.

San Jose's past can be divided in several distinct periods. Each of these periods is characterized by a dominant culture or activity. The names and dates of these cultural periods are approximate and suggestive rather than precise and definitive. Within the discussion of a historical era, recurring themes are identified and characterized by landscape features or resources that were introduced in, or were peculiar to, that particular temporal period. An emphasis has been placed in the narrative on historical events and developments during the earlier temporal periods. Geographical patterns of land use also emerge throughout the historical narrative.

Based on the historical context and the identified themes, a grid based on the model developed for the Santa Barbara County Element is presented in the Historic Theme section of this report (Raab 1985). This model provides an overview of the historical and thematic development of San Jose and provides a tool for evaluation of historical resources.

As discussed above, it is recognized that a multitude of ethnic groups made major contributions to the development of the Santa Clara Valley. For the purposes of this overview, however, the specific contributions of various ethnic groups were noted only if the culture group characterized a particular period in the development history. Ethnic, as well as other demographic considerations, should act as an overlay to the thematic and temporal model.

HISTORICAL DEVELOPMENT

Prehistoric Period

The first inhabitants of the coastal area from San Francisco to Monterey were the members of the Ohlone or Costanoan Native American language group. Although the Ohlones shared cultural and linguistic similarities, the tribe consisted of eight distinct politically autonomous linguistic groups. The Santa Clara Valley along the banks of the Guadalupe River and Coyote Creek was occupied by the Tamyen or Tamien group made up of four or more triblets with their own territories within the valley. The natives congregated in rancherias or concentrations of small villages that were related to each other by kinship ties (Levy 1978).

These early people established their settlements near a dependable water source and other easily available subsistence needs. Inhabitants in the northern portion of the valley were able to exploit both the river and estuary environments in addition to nearby grasslands and oak woodlands for fish, game, and vegetable materials. Temporary camps were also estab-

lished in scattered locations in order to collect seasonal foodstuffs or materials that were not locally available.

The arrival of the first Spanish exploration parties marked the beginning of the end of the Ohlone lifestyle in the Santa Clara Valley. Spain began colonizing California as a response to the threat to its northern borderland by the Russian settlement at Fort Ross and English and American explorations and commercial expansion. California ports were also necessary to provide provisions for Spain's fleet of Manila galleons in the Pacific.

The Spanish Period (1777-1822)

The process of Spanish settlement of the Santa Clara Valley began in 1769 with the initial exploration by Sergeant José Ortega of the Portolá Expedition. Subsequent Spanish explorers noted the desirable settlement conditions of the Santa Clara Valley, including rich bottom lands, numerous Indian settlements, available timber, and a constant source of fresh water. In 1777, José Joaquín Moraga and Fray Tomás de la Peña established Mission Santa Clara on the west bank of the Guadalupe River. Within a year the *El Pueblo de San José de Guadalupe* was located on the Guadalupe's east bank. The Guadalupe River became the boundary between the lands controlled by the mission and the pueblo.

The Spanish colonization strategy utilized three institutions--military, civil, and religious. The military government, represented by the presidios at San Francisco and Monterey, protected the Spanish frontier against other Europeans and the colonists against Indians attacks. The Catholic Church established missions to convert and civilize the aboriginal population. The missions were the dominant colonizing influence in California during the Spanish period. Each mission's sphere of influence radiated from its center, with buildings for worship, housing, and industries, outwards to surrounding grain fields and livestock grazing lands.

In November 1777, Lt. Moraga set out from San Francisco with fourteen settlers and their families, totalling sixteen people. The pueblo at San Jose was the first civil settlement established by the Spanish in California. The pueblo's primary function was to supplement the crops grown by the missions to support the garrisons at Monterey and San Francisco. Representing the Spanish government, Moraga laid out the town, allocating house lots and cultivation plots (*suertes*) to each settler. The Spanish Crown retained ownership of the land and the settlers could not sell their land or divide it; therefore, much of the property within the pueblo remained in possession of the descendants of the original colonizing settlers until the American Period. The common lands (*ejido*) surrounding the pueblo were used primarily for grazing the livestock of the pueblo inhabitants.

The pueblo was originally established near the Guadalupe River in the vicinity of Taylor Street. However, this area was subject to severe winter flooding and the site of the pueblo was moved approximately one mile south to higher ground about 1791. Market Street Plaza was the center of the final pueblo site. The colonist's first activity was to build a dam above the settlement that collected water in a pond for distribution throughout the pueblo by way of an *acequia* or ditch. The *acequia* provided both household and irrigation water.

The colonist's homes, small adobe structures, were clustered in proximity to the course of the *acequia*, around the market square, and at the crossing of the roads to Monterey, Santa Clara Mission and the embarcadero at Alviso. The major transportation routes during this period were little more than trails. They included the El Camino Real that connected the pueblo and the mission with the presidios at Monterey and Yerba Buena. This road closely followed the route of Monterey Road and the El Camino today. The Alameda follows the

old route between the pueblo and Mission Santa Clara. The padres directed the planting of three rows of willow trees that shaded travelers between the two settlements.

Trimble Road closely follows the route of the old Spanish road between Mission Santa Clara and the mission *milpas*, or corn fields. This road was later extended to Mission San Jose that was established in 1789. Today, Highway 17 follows the route of the old Spanish trail between Mission Santa Clara and Mission Santa Cruz. This road through the Santa Cruz Mountains was originally an old Indian trail that was improved by mission Indians in 1791 under the direction of the padres.

The early colonists planted crops of corn, beans, wheat, hemp and flax, and set out small vineyards and orchards. A portion of the crops were taxed for the support of the soldiers at the presidios and to provision ships in the harbors. Surplus crops were traded in Monterey for manufactured goods shipped from Spain and Mexico. Rudimentary industrial activities included grist milling, making wine and brandy, hemp processing, and soap making. As the cattle herds increased, the hide and tallow trade became an important element in California's economy.

The Mexican Period (1822-1846)

When the civil wars erupted in Mexico in 1810, California found itself cut off from Mexico, the source of supplies and primary market for surplus crops. During this period, illegal trading took place with the foreign ships that surreptitiously visited California ports. Seamen off these ships became the vanguard of American and Anglo-European settlers in California.

By the 1820s, the lagging economy of the area began to increase due to the changing administrative policies of the new Mexican government. Two of these policies had important local ramifications. The first was the legalization of trade with foreign ships in the ports of San Francisco and Monterey. The traders exchanged tea, coffee, spices, clothing, leather goods, etc., for tallow and hides. Under the stimulus of this commerce, the settlements around the bay became lively trade centers. The second change in policy to have far-reaching effects in California was the secularization of the missions and the establishment of large, private land grants (Broek 1932:40-46).

With the change of governmental control from Spain to Mexico in 1822 and the secularization of the missions, came changing land utilization and ownership patterns. In 1824, Mexico passed a law for the settlement of vacant lands in an effort to stimulate further colonization. Any citizen, whether foreign or native, could select a tract of unoccupied land so long as it was a specific distance away from the lands held by missions, pueblos, and Indians. The grantee petitioned the governor for a specific tract, which after investigation and if there were no objections, was granted.

Thirty-eight land grants were issued between 1833 and 1845 in the Santa Clara Valley, with all or parts of fifteen rancho grants located within San Jose's current city limits. When a citizen was granted rancho land, he was required to occupy the property and to build a dwelling within a certain period. Many of the ranches granted in the Santa Clara Valley had received provisional grants from the *alcalde* several years before the official petition to the Governor. Each rancho had a hacienda which was in many cases a self-supporting village, composed of the main rancho residence, laborers' housing, corrals, grist mill (*tahona*), tannery, etc., surrounded by vineyards and cultivated fields.

Overseeing the immense acreage and herds of cattle, the California *ranchero* and his *vaqueros* spent many hours on horseback, the favored form of transportation. Cattle, al-

lowed to range freely, were rounded up twice a year during a *rodeo*—in the spring to brand the calves and again during the late summer for slaughter. The *rodeo* was often an occasion for socializing with the neighboring rancho families. With *fiesta* and *fandango*; the *rodeo* festivities often lasted a week or more.

In the early years of the province, the slaughter, or *matanza*, was solely for domestic needs. Cattle supplied beef to be eaten fresh or dried for future use; hides for shoes, lariats and outerwear; fat for cooking; and tallow for candles and soapmaking. During the period of Mexican rule the *matanza* became more systematic and extensive. Hides were carefully stripped from the carcasses and the lard and tallow was rendered. The lard was retained for domestic use and the tallow was saved for export. In trade the tallow brought six cents per pound, from 75 to 100 pounds were obtained from each carcass. Hides brought from one dollar to \$2.50 a piece, becoming known as "California banknotes." The malodorous killing fields could be detected for miles and were presided over by the vultures, coyotes, and other scavengers feeding on the unwanted flesh (Daniels 1976).

With the relaxation of immigration regulations by the Mexican government in 1828, more foreigners began to settle in California, frequently marrying the daughters of local land owners. San Jose's first "foreign" settler was Antonio Suñol, a native of Spain who arrived as a seaman on a French ship that weighed anchor in San Francisco Bay. Educated and resourceful, Suñol opened the first mercantile store and saloon in the pueblo in 1820. He also sold lumber, purchasing whip-sawn redwood from the Americans who were working in the San Mateo redwoods. Suñol's store, having the only strong box in town, also became the first bank. As the only educated citizen in the pueblo, he became a leading businessman as well as politically prominent. He was the first post-master in 1826 and in the 1830s was chosen to be the attorney (*sindico*) and registrar for the pueblo. Throughout the early 1840s he served as sub-prefect of the district and in 1841 as the *alcalde*.

Always the gracious host, Suñol entertained the foreign visitors that passed through San Jose, no doubt encouraging many to stay to make homes and take advantage of the many business opportunities in the area. Of the approximately 700 people who lived in the pueblo in 1835, forty were foreigners, mostly Americans and Englishmen. The first overland migration arrived in California in 1841, and by 1845 the new American settlers had increased the population of the pueblo to 900.

The American presence in San Jose was rapidly changing the character of the pueblo from a Mexican village to a bustling American town. For example, Charles Weber, upon his arrival in the valley in 1841, established a general merchandise store, a blacksmith shop, a flour mill, a bakery, a salt works, a soap and candle business, and a restaurant/saloon that catered to foreigners. He also purchased a large rancho in the area. The presence of the growing American population prepared the way for relatively easy occupation of California by American forces in 1846.

By the time of America's military conquest, the Anglo-American's commercial conquest was well-established. The Mexican population of California observed the influx of European and American settlers with a sense of helplessness. The Mexican governor, Pio Pico, articulately expressed his concern for California's future in 1846:

We find ourselves threatened by hordes of Yankee immigrants who have already begun to flock into our country, and whose progress we cannot arrest. Already have the wagons of that perfidious people scaled the almost inaccessible summits of the Sierra Nevada, crossed the entire continent and penetrated the fruitful valley of the Sacramento. What that astonishing people will next undertake, I cannot say; but in whatever enterprise they embark they will

sure to be successful. Already these adventurous voyagers, spreading themselves far and wide over a country which seems to suit their tastes, are cultivating farms, establishing vineyards, erecting mills, sawing up lumber, and doing a thousand other things which seem natural to them (Hall 1871:143).

In the earlier Spanish period, San Jose was characterized as an agrarian village with little or no commercial activity. With the change to Mexican rule, foreigners began to settle in San Jose establishing small-scale commercial operations. As the Anglo-American population increased during the 1840s, the native Californians found themselves suddenly in the minority and their way of life seriously threatened.

The Early American Period (1846-1869)

This frontier period is bracketed by the military conquest of California in 1846 and the completion of the transcontinental railroad in 1869, and is dominated by the superimposition of American culture on the former Hispanic culture. In May 1846, the United States declared war on Mexico and shortly thereafter the Americans raised the flag in Monterey and San Jose. In 1848, the United States acquired the Mexican province of California in the Treaty of Guadalupe Hidalgo. Closely following the annexation of California by the United States, the discovery of gold in the Sierra foothills precipitated a sudden influx of population to the State. This event served to accelerate California statehood, achieved in 1850, with San Jose serving as the first State capital.

As the last town on the route to the southern Mother Lode, San Jose became the supply center for hopeful miners as they passed through the area. Large numbers of these miners were farmers from the eastern United States and Europe, and could not fail to recognize the agricultural potential of the Santa Clara Valley. After a period in the Mother Lode, many of these miners returned to the Valley to take up farming. The high cost and scarcity of flour, fruit, and vegetables during the early Gold Rush made agricultural and commercial pursuits as profitable and more dependable than mining.

Prior to California's statehood, San Jose endured a turbulent era in civil government. The American military occupation force was small and stationed at Monterey, beyond effective reach of San Jose. There was confusion as to what laws were now in force, Mexican or American. The Hispanic Californians resented the American authority and the Americans refused to be ruled by the Californians. All basis for effective discipline was gone and near anarchy reigned.

John Burton stepped into this difficult situation as temporary *alcalde* of San Jose in October 1846. Married to a Mexican woman, Burton had been a resident of the pueblo since 1829. As a long time resident he was the a good choice for the post. He was familiar with the Mexican culture and language, and he could also deal effectively with the ambitious Americans. To cushion the criticism of his office, Burton appointed a committee of twelve men--six Californians and six Americans--to help govern the pueblo by majority vote. This *junta* only ruled for a year, but during that period some of its important decisions and actions affected San Jose's future development.

The rapidly growing, land-hungry population did not understand the Mexican concept of land tenure and was greatly frustrated since much of the best land in the San Francisco Bay area was taken up by the large Mexican grants. In many cases the boundaries of the grants were only roughly identified, a factor also frustrating to the American settler. The pre-Gold Rush settlers to California obtained land by gaining Mexican citizenship and being granted land, marrying into the families of Mexican landowners and enjoying his wife's inheri-

tance, squatting on unoccupied and unclaimed land, or by illegally buying it from the unsophisticated Mexican owner.

During this frontier period, a combination of many factors formed the beginnings of the San Jose that we know today. One of the dominating cultural traits of the American population was its urban value system. The American settler naturally wanted to settle down and establish towns, to speculate in property, and to start businesses and related activities. Each town colonized by Americans in the West during the nineteenth century began with a pre-conceived plan expressed by the gridiron survey (Reps 1979). The reason for the grid plan's popularity was its simplicity. It was easily laid out by semi-skilled surveyors, it apportioned land quickly and efficiently, lots were a suitable shape for the erection of buildings, and the plan was easily expanded beyond its original limits. It also facilitated the transfer of property ownership and tax assessment.

In response to pressure by American settlers, the *junta* commissioned a survey of the pueblo. The survey embraced lands east of Market Plaza to Eighth Street, north to Julian and south to Reed streets, all of which were adjacent to the occupied pueblo area. Those with claims to land in the surveyed area were granted legal title and the unclaimed lands were sold by the Alcalde at \$50 per city block. The initial survey in 1847 was followed by several others. In 1850, Thomas White's survey extended the city limits to Coyote Creek on the east, and just beyond the Guadalupe River on the west. The city was approximately three miles long, northwest by southeast, and about two miles wide. These limits were not expanded until after the turn-of-the-century.

Besides the overall effect of facilitating speculation, these early surveys were important elements in the evolution of the urban fabric of San Jose. Once a street plan has been established it becomes relatively inflexible as structures are erected and money is invested to lay road surfaces. This early plan determined transportation patterns within the town, and influenced the development of business and residential districts. Today, we are living with decisions made by a few men over 130 years ago.

Throughout California, the new immigrants, believing that the territory ceded by Mexico in the Treaty of Guadalupe Hidalgo was now the public domain of the United States, tried to make claim to lands outside the pueblo. They immediately came into conflict with the Mexican rancho owners. Many settlers took matters into their own hands and occupied the land in defiance of the law and the grantholder. The squatter maintained the belief that the lands were public and attacked the legality of Mexican titles. To bring order out of chaos, the United States government created the California Land Claims Commission in 1851 to validate the Mexican titles by determining legal ownership and establishing fixed boundaries for Mexican claimed property. Intended to protect the Mexican landowner, this process in many cases worked to his detriment. The process of title confirmation was long, cumbersome, and expensive, and many Mexican rancheros found the economic and legal difficulties insurmountable. Even when the Mexican property owner gained legal title to his land, the eviction of the numerous squatters was an almost impossible task (Broek 1932). The confirmation process was also necessary to prove ownership of lands within the pueblo, a fact that served to delay the development of property between Market Street and the Guadalupe River for a number of years.

As the productivity of the placer mines fell off and the enthusiasm for gold mining began to wane, many immigrants began to look to the cities and fertile range lands as sources of income. At the time of the Gold Rush, beef was the only commodity that could be supplied in large quantities by the Californians. It was necessary to import other foodstuffs plus additional supplies of beef and mutton. Until the drought of 1864, stockraising continued to be the primary economic activity. At first the Mexican open range methods were followed

since grazing lands were ample. As smaller farms began to spread throughout the Valley, pasturage was reduced and stockraising was concentrated in the foothill ranges. More intensive stock farming began in the 1860s when cattle were moved from the foothill pastures to valley feed yards until ready for marketing (Broek 1932).

On a smaller scale, sheep raising, paralleled the cattle industry. Large flocks were imported during the Gold Rush that thrived in the mild California climate and on the cheap range in the low foothills around the valley. Sheep populations peaked during the 1870s, the number declining thereafter as farm lands extended, and markets for local wool and mutton decreased (Broek 1932).

The dairy industry developed in areas that had well-watered pastures, primarily located in the lowlands along the Bay and near Gilroy. Transportation of fresh milk was a problem in the early years and in the outlying districts most of the milk was used for butter and cheese production. Almost every farm in the Valley kept a couple of milk cows, self sufficiency being the goal (Broek 1932).

The staple agricultural product after the Gold Rush of 1848 became wheat. A ready market was assured and the crop was easily handled. The easy cultivation and high fertility of the soil of the Santa Clara Valley facilitated wheat production with little capital investment. By 1854, Santa Clara County was producing 30 percent of California's total wheat crop. In 1868, one observer noted, in summer the Valley was an almost unbroken wheatfield. Other grain crops, primarily barley and oats, followed wheat in productivity (Broek 1932; Detlefs 1985).

When the cattle industry shifted to more intensive methods, hay production became a necessity. The planting of forage crops and the establishment of feeding sheds led to better utilization of the range. Hay production developed during the 1880s and 90s and only began to drop with the increased appearance of the automobile after 1900. Most of the hay and forage crops were used by the dairy industry (Broek 1932).

The discovery of gold made the establishment of cities even more important. The life in the gold fields was difficult and the miners sought the city for relief from these hardships by having well-cooked meals and enjoying what entertainment could be found. San Jose was one of several towns in northern California that responded to the stimulus of gold fever by establishing hotels, houses of entertainment, restaurants, saloons, and stores that provided merchandise needed by the miners. Whatever the miner was willing to pay for, someone was willing to provide. An added impetus to San Jose's early development was its selection as the first state capital in 1850. The combination of migrating miners and the arrival of legislators, newsmen, and interested onlookers spurred the rapid development of San Jose.

Urban development moved at a swift pace during the 1860s. Gas service was introduced in 1861 and gas mains were extended from San Jose into Santa Clara. The San Jose Water Company was incorporated in 1866, supplying piped water to city residents. The first sewers were contracted by the city this same year. During the 1850s, regional stage lines were established between San Jose, Santa Clara, and Saratoga. These were replaced by the arrival of the street car line, chartered by Samuel Bishop in 1868, establishing the first urban transit lines in San Jose.

The need for a railroad was recognized in the early 1850s; however, the railroad line between San Francisco and San Jose was not completed until 1864. This event was followed a few years later with the completion of the Central Pacific line from San Jose to Niles connecting San Jose with the transcontinental railroad in 1869. San Jose thus became part of

the national and world economic network that opened new markets for the agricultural and manufactured production of the valley. The railroad, increasing population, and agricultural developments ushered in a new era of land use.

Even after the capital was removed from San Jose in 1852, the city exhibited steady growth through the following two decades. This period of growth was characterized by San Jose becoming the major service center for the expanding agricultural hinterland, increasing industrial and commercial activities, developing transportation services both internally and regionally, increasing ethnic immigration, residential expansion, and the development of urban services and utilities.

Horticultural Expansion 1870-1918

The horticultural potential of the Santa Clara valley was recognized by the mission fathers who established small orchards and vineyards. Cuttings from these trees and vines provided the basis of the earliest orchards and vineyards in the American Period. By 1852, the first pioneer nurserymen were importing and experimenting with various types of fruit trees and by the 1860s orchards were being set out in East San Jose, Milpitas and the north valley. In the 1870s increasing residential and business growth led to the shifting of orchard areas to new communities such as the Willows, Berryessa, Los Gatos, and Saratoga. The 1880s saw orchards expanding into the Campbell, Evergreen, and Edenvale areas. Orchard products dominated agricultural production by the end of the century and fruit production peaked in the 1920s. The most popular of the orchard products was the prune with acreage expanding rapidly during the 1890s. By the 1930s, 83 percent of the valley orchards raised prunes with the Santa Clara Valley producing 25 percent of the world's trade (Broek 1932).

The pioneer canning industry was begun in residential San Jose by Dr. James Dawson in 1871. The fruit canning and packing industry quickly grew to become the urban counterpart of the valley's orchards. Other support industries such as box, basket, and can factories were also established. Orchard and food processing machinery and spraying equipment also became important local industries. W. C. Anderson started a canning machinery factory (Anderson Prunedipping Co.) in 1890. Anderson absorbed Barngrover, Hull, & Cunningham in 1902 becoming Anderson-Barngrover Manufacturing Co. This company merged with the Bean Spray Pump Company in 1928 to become Food Machinery Corporation (FMC). The fruit industry thus came to dominate the lives and livelihoods of most residents in both city and county by the advent of the twentieth century. Early industrial development located near shipping points and transportation lines.

Commercial growth in San Jose boomed during the 1880s and continued with steady growth toward the end of the century. During the 1870s, business overflowed onto Second Street. After the Chinatown on Market Plaza burned in 1887, the new city hall was erected in the middle of the plaza in 1889 and the post office was constructed in 1893 spurring further development in downtown. Large bank buildings were built on all four corners of First and Santa Clara Streets. In the 1880s through the early years of the twentieth century, the business district moved southward along First Street. The major force in downtown development during this period was T. S. Montgomery who constructed many large commercial buildings and business blocks.

Urban services continued to expand. Electrical service came to San Jose in 1881 being provided by several small independent gas and electric companies. In 1881, the electrical light tower was constructed at the intersection of Market and Santa Clara Streets bringing worldwide fame to San Jose. Electric arc lamps replaced gas street lights in the late 1880s.

These in turn were replaced by incandescent lights and in 1912 112 ornate electroliers were ordered for the downtown streets from the Joshua Hendry Iron Works in Sunnyvale.

Changes in transportation during this period were a major influence on developmental patterns. Samuel Bishop built the first electrical streetcar line in America when he electrified the line between San Jose and Santa Clara in 1887/1888. The street cars were converted to overhead electrical trolley lines in 1891. The trolley lines within the city served Hedding Street, Julian Street, S. 10th Street, Monterey Road to Oak Hills Cemetery, and on Willow Street to Willow Glen. There were also lines to Alum Rock Park and Santa Clara. The Interurban Railroad had lines to Saratoga, Campbell, and Los Gatos by 1905. The Peninsular Railway had lines from San Jose to Palo Alto and Cupertino by 1915.

The first automobiles appeared in the valley in the late 1890s. Several pioneer automobile factories, the first in California, were established in San Jose after 1900. Clarence Letcher opened the first "garage" in the west in 1900 and in 1902 opened the first service station, which boasted "a gasoline station of 110 gallons which measures the amount of gasoline sold" (James and McMurry 1933:142). The first motor bus line in the State was started up Mt. Hamilton in 1910.

Along with the advances in the automotive industry, were the first experiments in aviation and communications. John Montgomery, a professor at the University of Santa Clara, flew the first heavier-than-air glider in 1893 and was making significant aeronautical discoveries when he was killed in a glider accident in 1911.

Dr. Charles Herrold pioneered California's first radio transmission in 1894 and in 1909 he established the first American commercial radio station in San Jose. Herrold can also be credited with sowing the seeds of the electronics industry in San Jose when he opened a college of engineering that qualified more the 1200 students as radio engineers, technicians, and operators by 1922. Many of Herrold's students were specially trained for government communications service during World War I. By 1922, Herrold was responsible for over 50 inventions and improvements involving the use of electricity (Arbuckle 1985).

Most of the undeveloped land within the city limits was subdivided and filled with homes during the 1880s and new suburban tracts were being subdivided. The Hensley grounds were subdivided in 1886, as was College Park east of the Alameda. Naglee Park was opened in 1902 and Hanchett Park in 1907. Lots were auctioned off in the Lendrum tract in East San Jose, an area that incorporated in 1906. The City's first annexations were the Gardiner District and East San Jose, both annexed in 1911. The following year a strip 100 feet wide down N. First Street to the port of Alviso was annexed.

Inter-War Period 1918-1945

After World War I, San Jose entered a period of great posterity characterized by the spirit of boosterism. Three projects were initiated in 1929 that spurred growth: the development of the water conservation program, the connection of the Bayshore Freeway between San Jose and San Francisco, and the establishment of Moffett Field as a Navy dirigible base. All these projects were in place by 1939.

During the post-war period, population growth continued to expand the urban boundaries as orchards were replaced by residential developments. Large residences appeared on the eastern foothill terraces. Willow Glen and the Hester and Hanchett districts made large extensions westward after the boulevarding of Park Avenue in 1928. The Vendome Hotel grounds west of N. First Street were subdivided in 1930. Annexations included Palm Haven in 1922, the Stockton and White districts in 1924, and the southwest Industrial area

and the Hester-Hanchett-College Park district in 1925. Willow Glen incorporated in 1927 and became part of San Jose in 1936.

The county's first airport, located in 1919 on Alum Rock between Capitol Avenue and White, was used by a succession of barn-storming and commercial companies, and in 1923 by the army reserve squadron. In 1929, the first municipal airport was established at King Road and Story Road. Cecil and Robert Reid established the Garden City Airport in 1934, moving to Tully Road in 1939 and changing its name to the Reid Hillview Airport.

By 1928, all the city streets had been paved and old wooden bridges were being replaced by concrete bridges. San Jose in 1930 had the greatest weekday auto traffic count in the State and was the only California city whose week-day traffic count exceeded that of holidays. The County averaged an automobile for every 2.92 persons (James and McMurry 1933: 164). Highway improvements include the widening of the San Francisco and Oakland highways in 1929-1932, the construction of the Bayshore Highway in the County in 1927 and realigning and widening the Santa Cruz Highway. With increased automobile competition, street car lines were abandoned during the 1920s and 1930s to be replaced by private bus lines.

World War II, like the Gold Rush a century before, had a major effect on the changing complexion of the San Jose area. The San Francisco Bay area was the gateway to the Pacific theater from 1941 to 1945. The large naval air station at Moffett Field became a center of much activity. Thousands of military personnel were brought to the area for training and processing, exposing the valley to public view.

Events at Stanford University were also setting the stage for significant developments in the post-war period. Frederick Terman became an engineering professor at Stanford in 1930. Under his guidance the university became a leader in the field of electronics. Many of the university's pre-war graduates played important roles in the post-war development of the local electronics industry.

Industrialization and Urbanization 1945-1991

William Hewlett and David Packard, two of Professor Terman's students at Stanford, developed electronic test equipment in a Palo Alto garage in 1939. During the war this small company obtained government contracts and continued to grow during the post-war period. In 1954, the Stanford Industrial Park was established attracting the companies of Hewlett-Packard and the Varian brothers, also students of Terman, as well as Sylvania, Philco-Ford, General Electric, and Lockheed's research laboratory. These companies formed the nucleus of what became known as Silicon Valley.

Soon after World War II, the business community launched an active campaign to attract new non-agricultural related industries to San Jose. Early industries that established plants in San Jose were the Chicago's International Mineral and Chemical Corporation's Ac'cent plant in 1946, the General Electric plant in the early 1950s, and International Business Machines (IBM) in 1953. By the 1960s, the County's economic base was dependent upon the electronic and defense industries. The 1970s saw the development of the personal computer industry stimulated by Apple's "user friendly" computers.

Attracted by the increasing job market, the population of the valley experienced phenomenal growth after 1950. Between 1950 and 1975 the population increased from 95,000 to over 500,000. Correspondingly, the area of the city spread from 17 square miles in 1950 to over 120 square miles in 1970, replacing orchards with subdivisions and shopping centers. This growth can be directly related to the appointment of City Manager Dutch Hamann in

1950 by the pro-growth city council. Under Hamann's pro-annexation policy, San Jose had annexed 1419 outlying areas by the end of 1969 when Hamann left the position. During this period residential subdivisions replaced orchards at amazing speed. Rural roads widened into freeways, and expressways and boulevards were lined with restaurants and automobile salesrooms.

The automobile was the basic mechanism that has allowed the development of the valley. In the years following the war the American public intensified its love affair with the automobile. No longer content with one "family car," it has become necessary for everyone in the household to have a car and/or recreational vehicle. Beginning in the early years of the century, America, and California in particular, had become a car-oriented society by mid-century. This aspect of American culture is reflected in the architecture and resource types of the contemporary period. Suburban housing tracts are characterized by prominent, attached two or three car garages. Commercially, the period is characterized by the proliferation of fast food chains and other quick service, car-oriented establishments.

During the contemporary period, the city expanded outward along major transportation arteries. The commercial migration started in 1956 when the first store at Valley Fair, San Jose's first regional shopping center, opened for business. Up until this time, the San Jose City Council maintained a policy that no commercial zoning would be granted out of the downtown core area. Major and minor shopping centers sprung up to serve outlying residential areas, attracting additional residential and commercial development. The unfortunate by-product of the commercial migration to the suburbs was the death of a vital downtown business core followed by widespread demolition for aborted redevelopment projects during the 1960s. However, successful redevelopment efforts in the 1980s have signaled a rebirth of San Jose's downtown business district characterized by International style high-rise architecture.

SUMMARY OF GEOGRAPHICAL DEVELOPMENT

An understanding of the spatial development and patterns of land use during the various periods of San Jose's history is necessary in order to predict the location of various types of historical resources likely to be found in designated survey areas. This section will review the geographical development within San Jose's downtown core and original city limits, the surrounding agricultural districts, and later suburban development outside the original city limits.

During the Hispanic periods (1777-1846) population centers in the Santa Clara Valley were the Santa Clara Mission, the pueblo of San Jose, and scattered settlements at the rancho haciendas. The mission was relocated several times due to poor drainage and flooding problems. The earliest site was the east bank of the Guadalupe River in the vicinity of the San Jose International airport. Later sites were located within the limits of the City of Santa Clara.

Development within Original City Limits

Like the mission, the pueblo's first site was plagued by recurring flooding problems and was relocated in the 1790s to the area now around Plaza Park on Market Street. The pueblo was primarily located between First Street and the *acequia*, with a few structures located between the *acequia* and the Guadalupe River. Superimposed on a modern map these buildings would be situated on either side of Market Street, San Pedro Street, and Santa Clara Street. The pueblo extended north to St. James Street and south to William Street. Streets in the pueblo were meandering trails roughly corresponding to Market, San

Pedro, and Santa Clara Streets and alleys between the *suertes* (or cultivated areas) often named for adjacent property owners, such as, Chaboya Alley, Pacheco Alley, Altamirano Alley (San Fernando Street) and Garcia Alley (Park Avenue)(Laffey 1982).

By 1850 the city limits of San Jose had been established by a succession of grid surveys. The Original Survey by Chester Lyman in 1847 and 1848 included the area between Market and Eighth streets and Julian and Reed streets. Later surveys extended the limits to Coyote Creek on the east, Rosa (Hedding) Street to the north, and Keyes on the south. The western city limits extended to Delmas Street; however, the old pueblo area west of Market Street was not extensively surveyed until after the mid-1860s.

In spite of the widespread surveyed areas, the actual settlement limits of the town in the 1850s were confined to three or four blocks from the business district that clustered around the major cross roads of Market Street and Santa Clara Street. There was also scattered semi-agricultural development to the east and north of the downtown core by the close of the San Jose's first decade. Residential development spread outward from the urban core during the following decades. Confirmation of land titles within the pueblo area along with flood control efforts spurred the subdivision and settlement of the western neighborhoods during the sixties and seventies. Subdivision of large estates north and east of downtown, with added transportation and other urban services also contributed to the expanding residential settlement within the city limits.

By the turn-of-the-century most of the lands within the original city limits had been developed and developers were beginning to eye new areas for residential expansion. Naglee Park in the eastern area of the city was subdivided in 1902 and boasted over 1500 homes by 1905. The Vendome Hotel grounds north of downtown were developed in the 1930s as were previously undeveloped areas on the northern and southern outskirts of the city.

Commercial development was originally centered on Market Street between Santa Clara and San Fernando Streets. By the end of the 1850s businesses were spreading onto First Street and south on Market Street as far as San Antonio Street. In the early 1870s businesses overflowed to Second Street, as well as east and west along Santa Clara Street. In the early years of the twentieth century the business district continued to move south on First Street as far as San Carlos and San Salvador. During the early twentieth century decades the business district moved up rather than out, with the construction of numerous tall, multi-storied office buildings and hotels. The business district also continued its expansion eastward on Santa Clara Street and south on Market and S. First Streets during the 1920s and 30s.

Civic buildings were originally concentrated around Market Plaza (now Plaza Park). The Spanish *juzgado* was located on Market near the intersection of Post Street. The State House was located on the plaza where the Fairmont Hotel stands today. The first City Hall, located on Market north of Santa Clara Street, was occupied in 1855. The second floor of the City Hall was leased to the county to serve as a court house until the completion of the new Court House on St. James Square in 1868. The needs of the city dictated larger facilities, and in 1887 Market Plaza was designated as the site for a new City Hall which was completed in 1889. A new post office building was constructed nearby on the corner of Market and San Fernando in 1893. The city administrative facilities on Market Plaza and the County Court House and Hall of Records built in the 1930s served as the governmental headquarters until the 1950s. A new city and county governmental center was constructed on North First Street between Mission and Hedding in the late 1950s. San Jose's new City Hall was occupied in 1958.

The city's first industry was Suñol's gristmill located on the Guadalupe River near Santa Clara Street. There were several other mill sites, first on the river for necessary water power, later scattered throughout the city as other forms of power were introduced. Besides the mills, other early industry included blacksmiths, foundries, as well as wagon and carriage factories. Although some of these firms were scattered throughout the downtown business district, much of the heavy industry and manufacturing took place on the outskirts of downtown, moving outward as the commercial core expanded. With the coming of the railroad in the early 1870s, many of the industrial firms located in proximity to the railroad lines which provided convenient access to out-of-town suppliers and markets. By the turn of the century, the industrial/manufacturing areas were concentrated in the Julian/Stockton area, near the Southern Pacific and South Pacific Coast depots, and north and south along the railroad lines.

Development of the Agricultural Hinterland

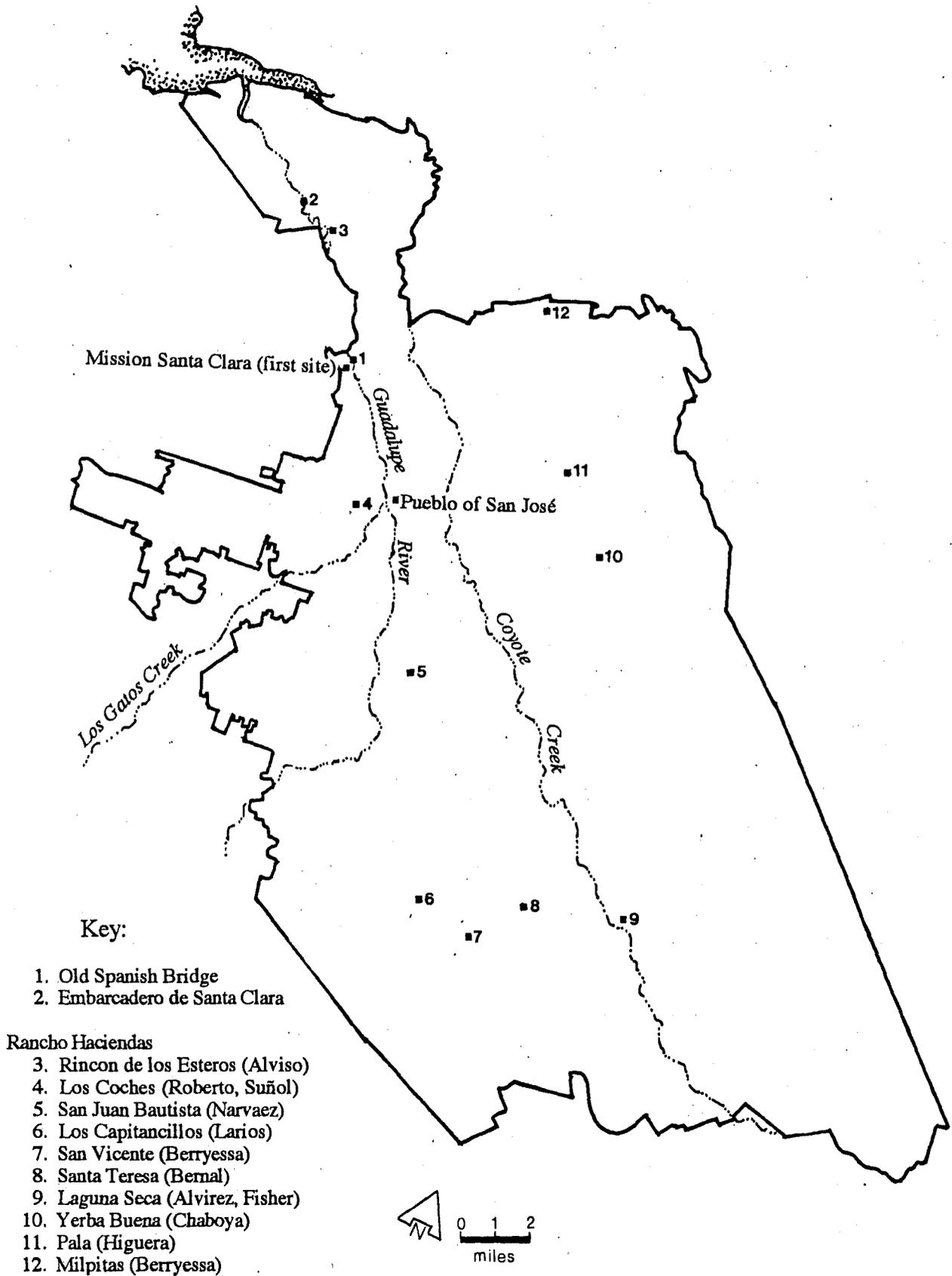
Until the recent era, the outstanding importance of the Santa Clara Valley was as an agricultural district. From a Spanish frontier colony with stockraising as the fundamental economy it changed to a food producing area, especially wheat, to meet the demand of the gold miners. The valley steadily developed until it ranked as one of the foremost horticultural districts on the Pacific Coast.

Until American settlement, the Santa Clara Valley outside the settlements at the mission and the pueblo was largely undeveloped and utilized primarily for the grazing of livestock. In the late 1820s and 1830s, large tracts of land were granted by the Mexican government to California citizens. As each of these ranchos was occupied the landowners constructed residences, laborers' housing, corrals, grist mills, tanneries, etc., in order to provide the basic needs of the rancho community. Ten rancho haciendas were located within the present limits of the City of San Jose; however, the only extant resource associated with the rancho period is the Los Coches adobe (Roberto Adobe) located on Lincoln Avenue (No. 4 on Map 1).

Geographer Jan Broek (1932) identified three agricultural phases through which the Santa Clara Valley passed after 1850. The first phase from 1850 to 1865 was characterized by cattle ranging, extensive wheat cultivation, and all around experimenting with crops. During the second phase, beginning in 1865, wheat farming dominated cattle raising and the foundations were laid for specialization in horticulture. From 1875 through the 1930s, horticulture superseded the declining wheat culture, and many other forms of intensive land utilization were developed under the increasing use of irrigation. The size of the ranches in the valley were closely correlated with these changing land uses. The Mexican ranchoes consisted of several thousands of unfenced acres over which cattle ranged. Early American ranchers followed the Mexican practice of free ranging their cattle for some years; however, the spread of farm enclosures and environmental factors caused the large stock ranches to give way to more intensive land use in the form of a smaller stock breeding farms or dairy farms confined to several hundred acres. Wheat farms during this period also ranged from 100 to 500 acres in size, averaging 213 acres in 1880. With the increasing crop value per land unit the large farm became unnecessary, and the correlated increase in land prices, cultivation costs, and growing population led to the all around subdivision of farm lands into highly specialized "fruit ranches" from 3 to 50 acres in size.

During the Mexican Period, small orchards were planted in the area on the western edge of the pueblo between the *acequia* and the Guadalupe River. The first early American orchards generally followed this practice, being established north of town along the *acequia*, Guadalupe River, and Coyote Creek. After the discovery of artesian water in 1854, orchards were more widespread, but were still fairly small in size and concentrated within the

Map 1. Historic Sites of the Hispanic Period, 1777-1846



city limits. In 1856, the first experimental orchards were set out in the Willows area (Willow Glen) and in the wake of their success were followed by more extensive orchards during the 1860s. As the production of various types of fruits proved successful, more and more orchards were planted throughout the valley during the 1870s and 1880s. By 1890, orchards were spreading into the Evergreen area and south of San Jose along Monterey Road completely dominating Valley agriculture by the end of the decade.

Development of Suburban Areas

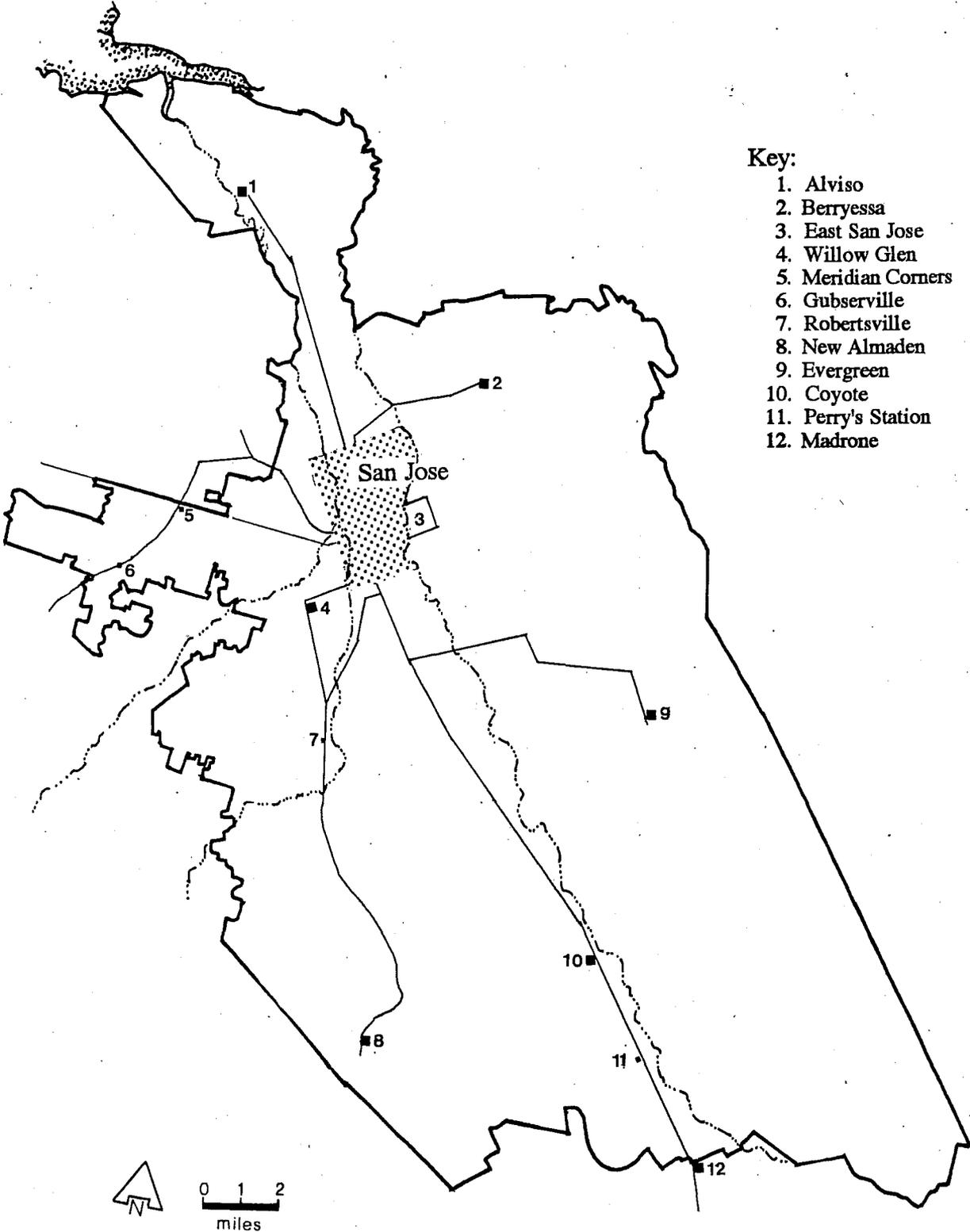
As early as the 1860s tracts adjacent to the city limits were subdivided, especially the lands originally part of the Stockton Rancho and Rancho Los Coches between San Jose and Santa Clara. These tracts included several subdivisions in the Hester District along The Alameda and Sainsevain's Villa near Willow Glen. East San Jose was laid out in 1868 and incorporated in 1906 in hopes of being a temperance community. The Cottage Grove tract on the southern city boundary was subdivided by realtor James A. Clayton in 1889. These subdivisions gradually developed as urban and transportation services expanded into these areas. L. E. Hanchett acquired the old agricultural park off The Alameda, which was opened for development in 1907. College Park, an area subdivided by the University of Pacific in the 1880s, also saw a renewal of suburban development in the early years of the century. The first expansion of the city boundaries to incorporate adjacent residential areas was the annexation of the Gardiner district on the west and the town of East San Jose in 1911. Additional annexations during the 1920s included Palm Haven, the Stockton district, the White district, and the Hester-Hanchett-College Park area. The eastern foothills and the Rose Garden area were developed in the 1930s.

During the Spanish-Mexican Period the only urban settlement was the Pueblo San Jose. In 1840, a newcomer pitched a canvas warehouse beside the rude landing place (embarcadero) on the Guadalupe Slough, marking the beginning of the town of Alviso (No. 1 on Map 2). The town, surveyed in 1849 and incorporated in 1852, became an active transfer point for travellers and freight between the Santa Clara Valley and other bayshore lands, especially San Francisco until 1865 when the railroad diverted travel away from the Bay's embarcaderos. The construction of the South Pacific Coast Railroad through Alviso in 1876 revived business somewhat. By the 1920s the principal industry of the town included the Bayside Cannery, in operation from 1906 to 1932, two evaporator companies and a shell business (Hoover 1990; Sawyer 1922).

The strongest agent in the formation of commercial clusters in the Santa Clara Valley proved to be the road from San Francisco, through San Jose, to points south. This transportation corridor was reinforced in the 1860s with the construction of a railroad that followed the same route. Settlements along this corridor to the south of San Jose included Coyote and Perry's Station, both with small train depots. Local service clusters that developed on secondary transportation routes within the present city of limits of San Jose included Willow Glen, Evergreen, Berryessa, Meridian Corners, Guberville and Robertsville (see Map 2).

The identifiable community of Willow Glen dates to the establishment of its school district in 1863. In 1869 the *San Jose Mercury* described it as an area of "hundreds of acres once formerly covered with dwarf trees and underbrush, and now reclaimed..." (Arbuckle 1985: 61). By the 1890s the nucleus of the business district had been established and trees lined El Abra, now Lincoln Avenue. The post office, established in 1893, changed its name to Willow Glen in 1895 (Arbuckle 1985). During the post-World War I residential expansion, the Willow Glen district developed as a quiet residential community complete with its own business district (James and McMurry 1933). However in 1925, Willow Glen's peaceful existence was disrupted when the City of San Jose decided to re-route the Southern Pacific

Map 2. Towns and Rural Service Centers, c1900



railroad down Willow Street bisecting the community. The Save the Willows Committee was formed which led to the incorporation of Willow Glen as a city separate from San Jose in 1927. Willow Glen enjoyed its independent status for nine years until in 1936 voters chose annexation to San Jose who offered the community its own high school and adequate sewer connections.

The village of Evergreen developed near the crossroads of White and Aborn Roads (then known as Evergreen Road). The settlement served as the local service cluster for the surrounding district in the Evergreen Valley. A school house was serving the area by 1858 and the Evergreen School District formed in 1866. The school building was located on the corner of White and Aborn Roads and served as the social hall until 1886 (Cortese n.d.). In the late 1860s, a blacksmith shop, saloon, and general merchandise store were established, followed by a post office in 1870 and butcher shop in 1872. During the 1880s, a new Social Hall was constructed and the Women's Relief Corps Home was established for the widows and orphans of Union veterans of the Civil War. The Evergreen Methodist Church was added to the village in 1890. Evergreen continued to serve the surrounding farms and ranches with little change until the development of the large suburban shopping centers and residential neighborhoods in recent years (Cortese 1987).

The village of Berryessa grew up at the intersection of Capital Avenue and Berryessa Road intersection, in the center of the rich fruit growing region northeast of San Jose. The village consisted of a school house, church, store, blacksmith shop, post office, telephone office, and numerous residences. The major employer of the area was Joseph Flickinger who established a large cannery in the midst of his orchards in 1886, providing work for hundreds of valley residents through the 1920s. Flickinger's orchards were subdivided for residential development in 1935 (Sawyer 1922).

Coyote, twelve miles south of San Jose, was originally a roadside inn called the 12 Mile House, established in 1852 as a watering place for travelers on the road to Monterey. In the 1870s, a village developed around the Southern Pacific depot. The town became a trading and shipping point for the surrounding community and consisted of two stores, a large seed warehouse, grange hall, post office, and train depot (Sawyer 1922).

Perry's Station, earlier known as the 15 Mile House, also provided a saloon and rest stop for travelers on the main highway, and in the 20th century gained a freight shipping depot on the railroad line.

Five miles west of San Jose, at the intersection of Saratoga Avenue and Stevens Creek Boulevard was the small community of Meridian Corners. This village consisted of two stores, a blacksmith shop, and a station on the electric road between San Jose and Saratoga (Sawyer 1922). The village of Guberville developed at the intersection of Saratoga and Payne Avenues.

Robertsville, five miles south of San Jose at the intersection of Almaden Road and Branham Lane, also developed as a traveler's rest stop and neighborhood service center consisting of a small cluster of residences, general store, saloon, and in the twentieth century, a gasoline service station.

SUMMARY OF HISTORIC THEMES

The California State Historical Resources Commission has identified nine general themes covering the entire range of California's diverse cultural heritage. These themes are: Aboriginal, Architecture, Arts/Leisure, Economic/Industrial, Exploration/Settlement, Govern-

ment, Military, Religion, and Social/Education. Using these broad California themes as a guide, specific themes for the historical development of San Jose have been developed. Suggested San Jose themes are: Architecture/Shelter, Agriculture, Manufacturing/Industry, Resource Exploitation/Environmental Management, Communication/Transportation, Commerce, Government/Public Services, Religion/Education, and Social/Arts/Recreation. In many cases, resources may relate to more than one of the identified themes.

Two of the themes identified by the State of California, Aboriginal and Exploration/Settlement, are not reflected in the following discussion. The California themes include aboriginal sites that relate to all aspects of Indian culture and occupation whether prehistoric or historic. Although aboriginal prehistoric and historic sites are important resources to preserve, the identification and preservation of such sites is specialized and distinct from the goals of this study. Aboriginal sites are not included in the City's *Inventory*. Whereas Exploration/Settlement is not specifically identified as a theme for San Jose nor called out in the grid matrix, any resources, especially within the temporal ranges up to 1870, may also be identified with this category.

Architecture/Shelter as a theme includes structures and sites representing various architectural periods and styles, structures designed by outstanding architects, and those resources that relate to residential living arrangements and landscaping.

The California Economic/Industrial theme was considered too broad for the classification of the multitude of the City's economic and industrial resources. Therefore this broad theme has been segmented into five sub-themes. **Agriculture** includes all sites that relate to the various aspects of the development of local agriculture. **Manufacturing/Industry** includes sites and structures that represent the development of the food processing industry, technological development, and the production of goods. **Resource Exploitation/Environmental Management** includes all resources that are related to the exploitation of natural resources, and the manipulation, preservation, or reclamation of the environment. **Communication/Transportation** includes all sites that relate to communication and transportation services and associated technological development. **Commerce** includes all resources that relate to the development of trade, finance, marketing, advertising and other commercial activities.

The **Government & Public Services** theme combines the State's Government and Military themes. This theme includes sites and resources related to the development of state and local government, military activities, public services, and public utilities.

The State includes educational sites within the Social theme. However, since educational development was closely allied to local religious institutions in San Jose, these two themes have been combined as the theme of **Religion/Education**. This theme includes resources associated with the development of religion, and public and private education.

The **Social, Arts, & Recreation** theme combines the State's themes of Arts/Leisure and Social. Resources in this category relate to dance, drama, music, art, and literature; organizations and institutions such as social and civic clubs, hospitals, and museums; and sites representative of general social mores and various ethnic lifestyles.

The following chart or model grid illustrates the identified themes of historical development divided by temporal periods. Characteristic resources have been placed within the grid as examples of the types of features and structures that represent various types of development through time. The model grid is intended as a dynamic tool to be expanded as additional themes and resources are identified.

HISTORIC THEMES FOR THE CITY OF SAN JOSE

Period	Architecture & Shelter	Agriculture	Manufacturing & Industry	Resource Exploitation & Environmental Management	Communication & Transportation	Commerce	Government & Public Services	Religion & Education	Social, Arts Recreation
Spanish 1777-1822	adobe residence mission housing Indian rancherías	Mission economy corrales hedge rows orchards	Winemaking, distilling Grist mills Hemp processing soap making tile kilns	acequia dams	The Alameda, El Camino Real trails between settlements bridges & fords alleys and hedge rows	Trade with Mexico, SF, Monterey smuggling		mission	
Mexican 1822-1845	Rancho hacienda laborers' housing post-secularization Indian settlements	Rancho economy cattle & horses <i>matanza</i> hacienda	tannery adobe brickyards flour mill, bakery	Quicksilver mining lumbering fire wood cutting	Embarcadero	hide & tallow trade with US & Britain general stores bakery	juzgado, guard house	Catholic churches	matanzas, rodeos bull & bear fights
Early American 1846-1870	hotels, boarding houses farmstead--house, outbuildings, barns, fences, trees, tank- house, windmill, graneries, milkshed laborer housing brick, wood (Pioneer, Greek Revival, Gothic, Italianate, vernacular styles) privies, trash dumps disposal, gardens fountains	single family homesteads barns, corrales, fences dairies, milk sheds cheese houses plant nurseries slaughterhouses laborer housing agricultural societies fruit wholesalers	flour mills, mill ponds lumber mills & yards planing mills brickmaking, kilns potteries, foundries engine works, carriage factory, silk factory tanneries, leather works woolen mills, paper mill agricultural equipment butter & cheese making tin cans, sheet metal box & basket factories soda water bottling breweries, distilleries bakeries, cigar making gas manufacturing coffee & spice mill	Quicksilver mining retorts, shafts, edits tailing piles spas & mineral springs windmills pumps, cisterns pipes, dams, reservoirs, artesian wells fountains, sewers irrigation ditches flood control & river realignment	toll roads, toll gates, stables grid street system Alviso canals, docks warehouses, wharves railroads, depots freight depots, stage inns & mile houses street railroads, stations car barns, power houses rails, concrete ribbons in streets blacksmiths, wheelwrights telegraph, newspapers	retail shops, saloons, restaurants roadhouses, inns public market brick retail blocks banks, hotels boarding houses livery stables real estate butchers bath houses wash houses photographers	post offices, fire houses city hall, court house, jail charities, orphanages hospitals, pest house gallows, public parks Hall of Records Hall of Justice military camps City militia National Guard plank sidewalks public cemetery potter's field sewer system water service gas service, gas lights	Notre Dame College of Pacific public school parochial schools commercial college kindergartens Protestant churches Joss houses missions cemetaries Society of Friends	Fraternel bldgs. social halls, brothels saloons, gambling halls parks & public gardens music halls, theaters bowling alley, race track velodrome, fairgrounds amphitheater, resorts
Horticulture 1870-1918	Chinatown, housing for seasonal labor carriage houses homes of wood & stucco (late Victorian, Bay Tradition, Mission, Craftsman, Colonial Revival, bungalow styles) student housing suburban expansion highrise office bldgs.	family farms wineries, canneries fruit packing, warehouses cooperatives & unions dehydrators, drying sheds lye tanks, prune furnaces slicing shed, sulfur houses creameries, cheese houses migrant workers' housing Victory gardens poultry houses seed farms	orchard machinery box factories, paper packaging, pesticides spraying equipment pasta/meccaroni factories Industrial vernacular buildings	lime quarries rock quarries marble/granite works clay/brick products magnesite mining irrigation canals	automobile, street lights paved streets, concrete bridges garages, service stations auto sales, gas pumps auto camps, air fields round-house, signals, RR bridges, narrow gauge RR spurs, radio stations, transmitting towers	large commercial blocks neighborhood grocery stores credit bureau auto sales	telephone, poles & wire radio, transmitting towers electrical service, power poles, water pumping stations cement sidewalks, gutters curbs, city dumps old folks homes, almshouse insane asylum	Normal School dormitories public library schools of art, music & drama reform school rural churches synagogue	social & civic clubs motion pictures libraries movie houses baseball parks yacht clubs golf club amusement parks
Inter-War 1918-1945	apartment houses garden courts, cottages (Spanish Colonial Revival, Exotic Revival, minimal traditional, Art Deco, Beaux Arts styles) quonset huts detached garages	green houses cold storage plants road side fruit stands	aircraft industry cold storage plants tile factory plastic products steel manufacturing	water conservation districts--dams aqueducts	railroad subways private bus lines airports, hangars regional highways traffic signals, billboards motor courts, diners drive-in restaurants strip development	neon signage car-oriented commercial struc- tures, giant object bldg. shapes as form of advertising	armories, USO hut Red Cross, public health services WPA and CCC projects	stadium gymnasium suburban churches jr. high schools	museums country clubs miniature golf aeronautics clubs, civil defense squadrons
Industrialization & Suburbanization 1945-1991	planned tracts (Ranch, Split-level, Mediterranean styles) attached garages "Google" architecture mobile home parks stucco box apartments cluster houses geodesic domes condominiums retirement villages berm landscaping	Grass farms	Electronics industry Research & Development campuses	Recycling centers water treatment plants toxic waste management	expressways, freeways interchanges, motels County Transit light rail lines, parking lots car washes, truck stops Drive-in, -thru,-up services chain restaurants mini-marts in gas stations television stations cable TV, satellite dishes	advertising focused on future reflected in commercial architecture, use of plastic in signage supermarkets regional malls shopping centers fast food chains car washes	State offices day-care centers Civic center parking meters	pre-schools day care centers	drive-in movies video arcades health clubs amusement parks

Each resource category can be placed temporally and thematically within the grid and its significance evaluated accordingly. The resource within the time/use matrix may be identified as an early example, characteristic example, or surviving example of its time and place. Significance can be further drawn from the resource's isolation from or survival with closely related resources. Although not delineated in the grid, demographic considerations (race, ethnicity, gender, age, occupation, religion, etc.) may also influence the relative significance of a resource.

CONTEXTUAL STATEMENTS FOR SURVEYS

The Historical Overview and Context provides a general framework for the historical development of San Jose and the Santa Clara Valley; however, for specific geographical surveys and resource types, it is important to develop a more specific contextual statement. A focused contextual statement will aid in identifying the specific chronology and types of resources one would expect in the survey area, as well as providing a tool for assessing the historical significance of identified resources. As a guideline, the specific contextual statement should provide answers for the following questions:

1. What was the chronological development of the specific resource type or geographical area?
2. What economic, political, technological, geographical, or social factors influenced changes in the form and/or function of the resource type or affected its geographical location?
3. Can specific local patterns of type and/or location be identified?
4. Are there specific features or factors that that would increase the relative significance of the resource or its location?

Unreinforced Masonry (URM) Contextual Statement

It is very possible the first building in California constructed entirely of fired brick was erected in the pueblo of San Jose. The Spanish fathers brought brick making technology to California, employing Indian labor in the production of unfired (adobe) and fired brick for the building of the mission compounds. Jacob Bowman (1951), in his study of Spanish building technology, states that manufacture of burned roof tiles and bricks was confined to mission construction; however, archaeological excavations in downtown San Jose have revealed a structure built entirely of fired 8-by-16 inch adobe bricks (Cartier 1979). This two-story building was constructed prior to 1823 and was used as a residence after this date. It is possible that it was constructed about 1800 and may have originally served as a jail, guard house, or granary for the pueblo (Detlefs 1979). This structure is the only fired brick building known to exist in the Santa Clara Valley before 1848.

Before 1850, most of the brick used in Santa Clara County was imported as ballast by trading ships. An archaeological investigation of a building built in New Almaden in 1847 found foundations utilizing brick branded by companies located in the eastern United States and Great Britain. Locally made brick were also being produced at this time at New Almaden, as many poorly fired "salmon" brick were used side by side with the imported brick (Laffey 1980).

Frederick Hall reports that in 1848 the first brick houses in San Jose were built by "Mr. Osborn, at the corner of Fifth and St. James streets, one between St. James and St. John on Fifth, and one on St. John between Fourth and Fifth" (Hall 1871:194). An 1850 parcel map indicates a small brick kiln at the corner of Santa Clara and River streets, east of the Guadalupe River. This kiln may have been the source for these early brick buildings, or Mr. Osborn may have erected a kiln on his property for the manufacture of brick (Laffey 1980).

By the mid-1850s there were several active brickyards in San Jose and Santa Clara. During this period of rapid growth in downtown San Jose brick structures replaced many of the wooden commercial buildings. Devastating and frequent fires occurring in the congested business district prompted brick construction. Considered a major deterrent to these fre-

quent disasters, newspaper editorials encouraged the construction of "fireproof" brick structures (Laffey 1980).

In the 1860s, several major earthquakes occurred in San Jose that excited concern about the safety of brick construction and prompted advances in masonry construction techniques. Foremost in the field of the development of earthquake safe masonry was architect Levi Goodrich. In 1865, Goodrich developed a technique that involved the construction of inner and outer brick walls divided by a gap of four inches. The walls were tied together every five to eight courses by alternating diagonal layers of wooden lath or iron bars which "gave the wall great elasticity and strength." Such construction was considered "earthquake proof" and, indeed, was tested by the earthquake of 1868. Goodrich at this time was directing the construction of the new Court House on St. James Square. The newspaper re-*porting* on the extensive damage in the City, stated that the Court House "withstood the shock admirably suffering little cracking of the walls and crumbling of plaster decorations. ... The lesson of this earth shock is: Erect no more high church steeples; build no more brick buildings above two stories in height, and those only in the most substantial manner" (*San Jose Mercury* 22 October 1868). The newspaper observed one month after the earthquake:

...that the owners of several of the best brick buildings of the city are taking the precautions necessary to secure their buildings from damage by the next earthquake. Knoche has bolted his building fore and aft with immense iron rods. Murphy has served his in the same way. Masonic Hall block and Minor's building are being made earthquake proof. We also observe a number of galvanized iron chimneys taking the place of the brick chimneys which succumbed to the great shock (*San Jose Mercury* 12 November 1868).

The next major earthquake was in 1906 through which a large number of the nineteenth century downtown masonry buildings survived with only minor damage. Many of these office, retail, and industrial buildings are presently on the City's list of unreinforced masonry buildings.

The first steel frame building in San Jose was the seven-story Garden City Bank constructed on S. First Street in 1907. A number of multi-story steel frame and reinforced concrete office buildings were constructed in the following years and by the 1930s San Jose's downtown skyline was dominated by ten- and twelve-story bank, hotel, and office buildings. With the growing use of other types of building materials, brick construction became less popular.

Because of the mild California climate, and once lumber was readily available, the more expensive and labor intensive brick construction was never very popular for domestic buildings in San Jose. Brick was used, however, for larger homes in the more prestigious neighborhoods, denoting the social prominence or material success of the owner.

Brick was the favored building material for large civic and public use buildings, such as the Court House, City Hall, and churches. The use of brick in these types of buildings evoked a sense of civic pride and permanence.

The use of brick construction for commercial blocks and hotels in the downtown core or "congested district" was preferred for its fireproof qualities; however, here again, brick often conveyed a sense of permanence, success, and/or prestige about the commercial occupant of the building.

Practical considerations usually outweighed the more esoteric reasons for the use of brick for the more utilitarian industrial and warehouse buildings. Here brick offered protection from fire, and protected the contents of warehouses from rodent infestation. In some types of manufacturing, brick construction would better stand up to vibrating machinery. A high percentage of the surviving brick industrial buildings in San Jose include those structures associated with the fruit canning and packing industry.

In San Jose today, most of the surviving brick commercial buildings are located in the downtown commercial district and in outlying neighborhood service clusters. In the early years, the location of industrial buildings was determined by one or more of the following factors: the availability of power, water, raw materials, and market and/or shipping lines. Warehouses are also located near shipping points. In San Jose, the oldest surviving brick warehouses are in Alviso, once a major port on the San Francisco Bay. After the coming of the railroad to San Jose, industries and warehouses were constructed adjacent to the freight depots and along railroad lines. Accordingly, major industrial districts developed north of downtown in the Jackson/Taylor area, near the railroad depots in the Julian/Stockton area, southwest of town in the Auzerais/Suñol area, and south of town along S. Fourth Street.

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Attachment 11

Historic Preservation Website



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Department of Planning, Building & Code Enforcement

Wednesday, October 8, 2008

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Historic Preservation

Historic Preservation in San Jose

Historic preservation is an approach to preserving significant structures, sites, and objects which represent a physical connection with people and events from our past. Historic preservation utilizes various land use planning strategies, governmental programs, and financial incentives to identify and rehabilitate historic resources. The preservation of historic structures and sites helps to create a unique environment and sense of place in San Jose. This cultural richness strengthens the local economy by promoting tourism and encouraging investment

[Download "What is Historic Preservation" pamphlet here.](#)

Does the City have historic preservation goals or policies?

The San Jose 2020 General Plan contains goals and policies which encourage historic preservation. These goals and policies encourage the protection and preservation of historic resources within the City. The primary General Plan goal is to preserve historically and archaeologically significant structures, sites, districts, and artifacts in order to promote a greater sense of historic awareness and community identity, and to enhance the quality of urban living.

How is historic preservation implemented?

Adopted in 1975, the City's Historic Preservation Ordinance ([Chapter 13.48 of the Municipal Code](#)) authorizes the City to:

- Establish an Historic Landmarks Commission,
- Maintain an Historic Resources Inventory,
- Preserve historic properties using a Landmark Designation process.
- Require Historic Preservation Permits, and provide financial incentives through Mills Act Historical Property Contracts.

What is the Historic Landmarks Commission?

The Historic Landmarks Commission is a seven-member advisory body appointed by the City Council. The Commission reviews additions and deletions to the Historic Resources Inventory. The Commission also makes recommendations to the City Council on proposed City Landmarks, and to the Director of Planning on Historic Preservation Permits and other proposals which may affect historic structures, sites, or objects. The Historic Landmarks Commission is staffed by the Planning Division which holds regular public meetings on the first Wednesday of each month at City Hall. For more information contact [Sally Zarnowitz](#) at (408) 535-7834 or [Carmen Stanley](#) at (408) 535-7856.

[Select to view meeting agendas.](#)

How do I know if my property is listed as an historic resource?

The City's Historic Resources Inventory identifies known and potential historic properties. It is also a resource for designating future City landmarks. The Inventory also provides a basic level of protection to potential historic resources such as single family homes. [Select to visit Historic Resources Inventory page](#)

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What is an Historic Preservation Permit?

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An Historic Preservation (HP) Permit is an approval of a request for any exterior work performed either on a designated City Landmark, or in a City Historic District. An HP Permit protects San Jose's historic treasures by maintaining their integrity and character.

HP Permits are required in addition to other permits that may be required by the Municipal Code. Exterior changes include alteration, reconstruction, construction, rehabilitation, restoration, remodeling or similar activity which alter the visual or structural quality of the Landmark's exterior. An HP Permit is also required to construct any new structure, or to demolish, remove or relocate existing Landmark structure. Proposed exterior changes to other properties listed on the Inventory are reviewed through the development process.

How do I know if I need an Historic Preservation Permit?

If your property is either a designated City Landmark, or is located within a City Historic District, an Historic Preservation Permit Application is required. In addition to any other development permit that may be required for your project, you must have an Historic Preservation Permit approved before obtaining a building permit to perform any exterior work.

How long does the process take?

An Historic Preservation Permit generally takes 60-90 days to process. After filing, your Historic Preservation Permit application will be forwarded to the Historic Landmarks Commission (HLC) for review. An Historic Preservation Permit could require additional processing time if your project also requires a development permit, such as a Conditional Use Permit, or more extensive, Environmental Review, such as an Historic Report or a traffic analysis.

Who approves an Historic Preservation Permit?

The Director of Planning may approve, conditionally approve, or deny an application for an Historic Preservation Permit after holding a noticed public hearing. The Director considers the recommendations of the Historic Landmarks Commission. The Director's Hearing provides both the applicant and interested community members an opportunity to participate in the process. Director's Hearings are held every Wednesday of the month, except the first Wednesday, at City Hall. The Director's decision may be appealed to the City Council.

Last Modified Date: 10/6/2008

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As a customer-driven organization, the City of San José welcomes any suggestions you might have to help us serve you better.

Attachment 12

Historic Preservation Incentives

Historic Preservation Incentives

Incentive:

Available to:

STATE HISTORIC BUILDING CODE

All San Jose Historic Resources

The SHBC allows reasonable alternatives to the requirements of regular codes and ordinances, applicable to all qualified historic resources. Any condition permitted to continue within existing occupancies is permissible in historic buildings. CHBC Part 8, Title 24, regulations require enforcing agencies to accept reasonably equivalent alternatives to the regular code.

SAN JOSE 2020 GENERAL PLAN ALTERNATIVE DISCRETIONARY USE POLICY

All San Jose Historic Resources

Land uses other than those designated on the Land Use/Transportation Diagram may be allowed on sites with structures of significant historical or architectural merit if to do so would enhance the likelihood that the historic/architectural qualities would be preserved, and the use would not otherwise be incompatible with the surrounding area. Such alternative use(s) should be allowed only under Planned Development zoning.

MILLS ACT/HISTORICAL PROPERTY CONTRACT

City Landmarks

This agreement is between an owner of a City Landmark and the City allowing a revised property tax assessment based on rental value in conformance with Mills Act State Legislation. 10% of annual savings are to be used towards rehabilitation and/or maintenance.

CITY OF SAN JOSE BUILDING TAX EXEMPTION

City Landmarks

Building and Structure (B&S) Construction Tax (5% of improvement value) Commercial-Residential-Mobile home Park (CRMP) Tax (5% of improvement value)

FEDERAL TAX CREDITS

A tax credit differs from an income tax deduction. An income tax deduction lowers the amount of income subject to taxation. *A tax credit lowers the amount of tax owed.* In general, a dollar of tax credit reduced the amount of income tax owed by one dollar. The two credits are mutually exclusive. Only one applies to a given project. Which credit applies depends on the building – not on the owner's preference.

20% Federal Tax Credit

The 20% rehabilitation tax credit equals 20% of the amount spent in a *certified rehabilitation* of a *certified historic structure*. The 20% credit is available for properties rehabilitated for commercial, industrial, agricultural or rental residential purposes. It is not available for properties used exclusively as the owner's private residence. The 20% rehabilitation tax credit applies only to certified historic structures, and may include buildings built after 1936.

*Income Producing
Historic (National Register) buildings*

10% Federal Tax Credit

The 10% rehabilitation tax credit equals 10% of the amount spent to rehabilitate a *non-historic building* built before 1936. The 10% rehabilitation tax credit applies only to non-historic, non-residential buildings built before 1936.

*Income Producing
Non-Historic(National Register) buildings
built before 1936*