

# Putting Planning into Historic Preservation & Putting Historic Preservation into the Planning Process



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Historic Preservation

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Nevada County, California

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# Is this Happening in Your Community?



Inappropriate alterations to buildings?

Is this  
Happening in  
Your  
Community?

Clutter in the  
streetscapes?



# Is this Happening in Your Community?



Have you ever had the experience of driving down a road and realizing that what once was a farm. . .

had turned into a strip mall?



# Is this Happening in your Community?

Construction of out-of-character houses and businesses?



# Is this Happening in Your Community?



# Is this Happening in your Community?

Extreme population growth ?



1937

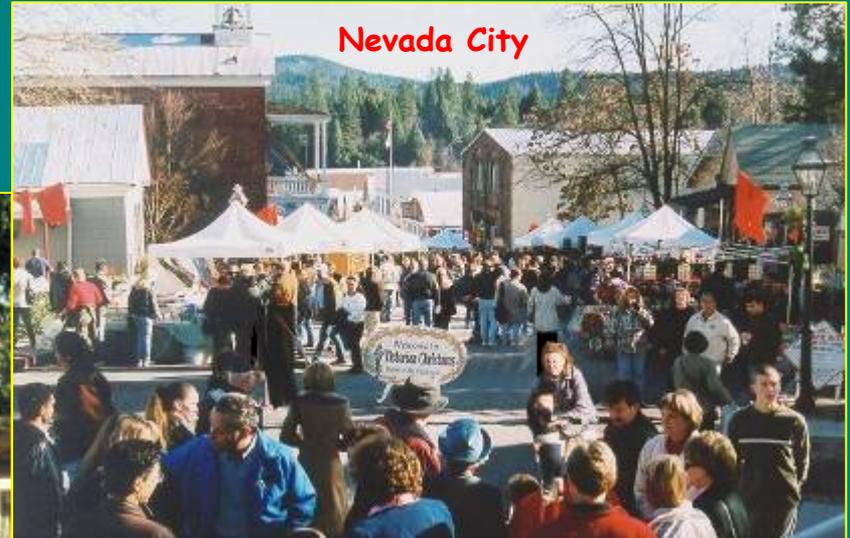


2006

Elk Grove, California

# Values of Historic Preservation

Impacts Quality of Life



# Economic Values

- Heritage Tourism
- Rehabilitation & Adaptive Reuse
- Resource conservation
- Property Values
- Revitalized downtowns
- Incubate locally-owned small businesses
- Sustainable communities



Grass Valley

# Aesthetic Values



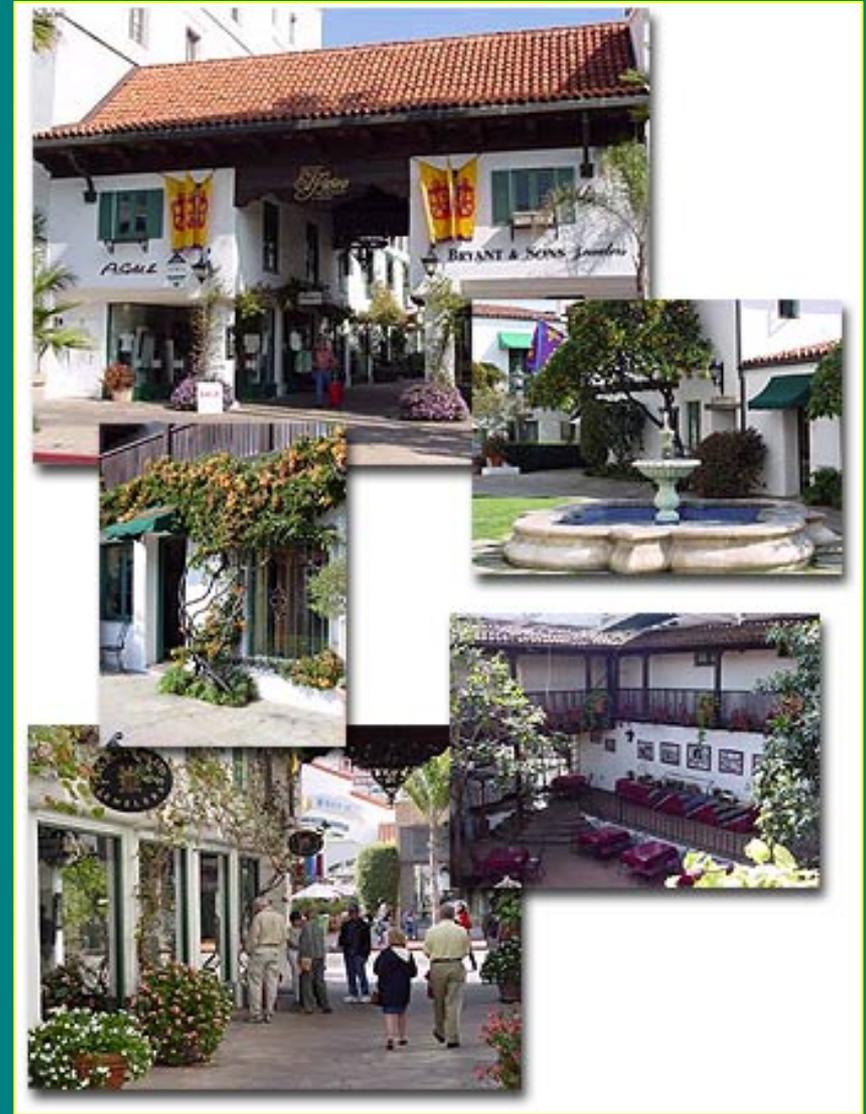
Locke, Sacramento Delta

- Community character vs. Generic
- Promotes sense of time and place
- Connects the past with the present
- Connects people of today with those who have come before

# Social Values

## Preservation Promotes

- Mixed use neighborhoods
- Pedestrian orientation
- Sense of community
- Preserve open space & agricultural land



El Paseo, Santa Barbara

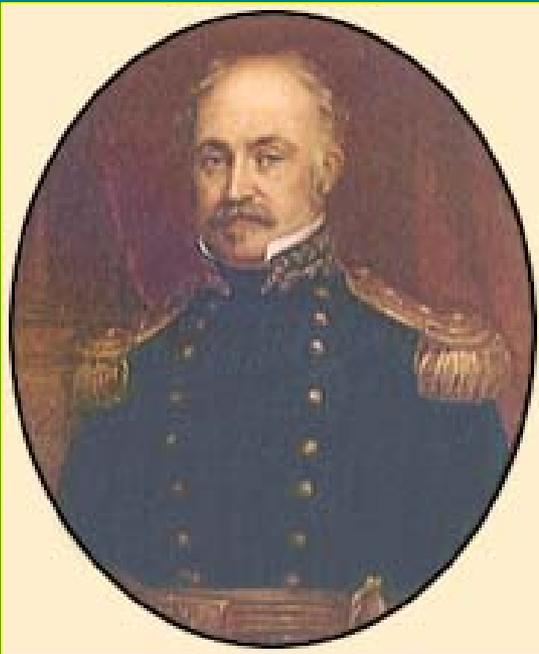
If preservation has these values, then why do bad things happen to historic properties?

If preservation has these values,  
then why do bad things happen to  
historic properties?

- Not everyone shares the same values
- Property rights questions
- Monetary value of real estate
- State of the economy
- Lack of good planning

# Early Preservation Efforts

Great Houses/Great Men (White)  
House Museum Approach



Sutter's Fort

# Historic District Approach

(the early years)

**Architecturally** Significant Properties

Regulating Private Property

- City of Charleston,  
"Old and Historic  
District," 1931
  - No changes could be made  
to exterior architectural  
features that were  
subject to view from a  
public street or way.



# Recent Preservation Direction

## Commercial Districts/Main Streets

### Architectural and Historical Significance



Grass Valley

# Recent Preservation Direction

## Residential Neighborhoods

### Architectural and Historical Significance



Pasadena, Bungalow Heaven



San Francisco, Alamo Square

# More Changes in Preservation Direction

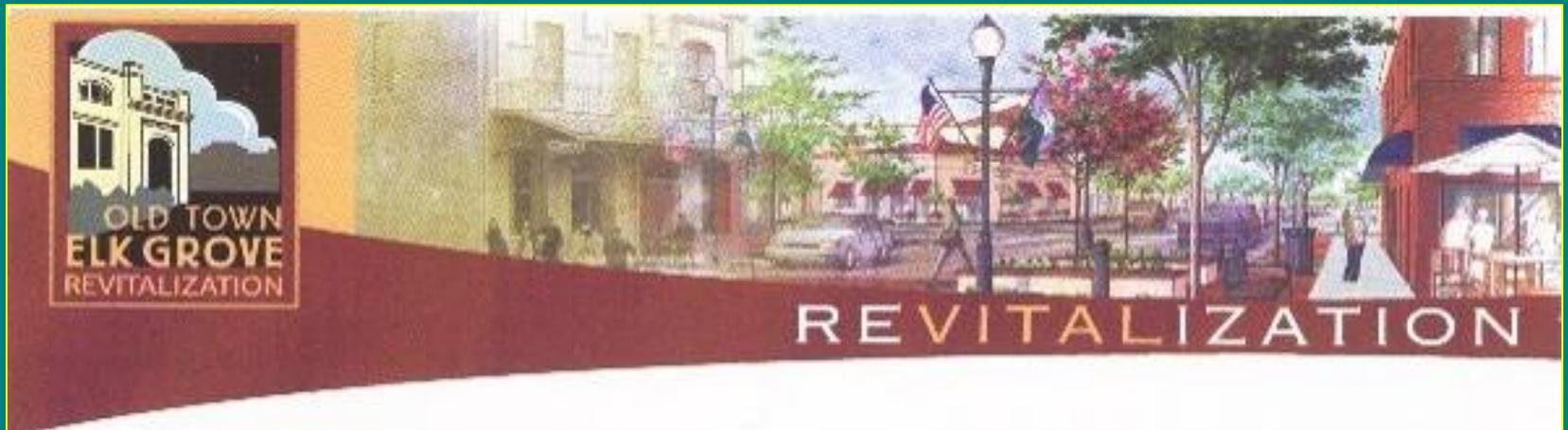


San Francisco City Hall

- Shift of program responsibility from historical societies and museums to local government
- Historical societies & other organizations remain strong & important advocates

# More Changes in Preservation Direction

- Tied to land use planning
- Integration of historic preservation into city and county planning departments



# Secretary of the Interior's Standards

# Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines

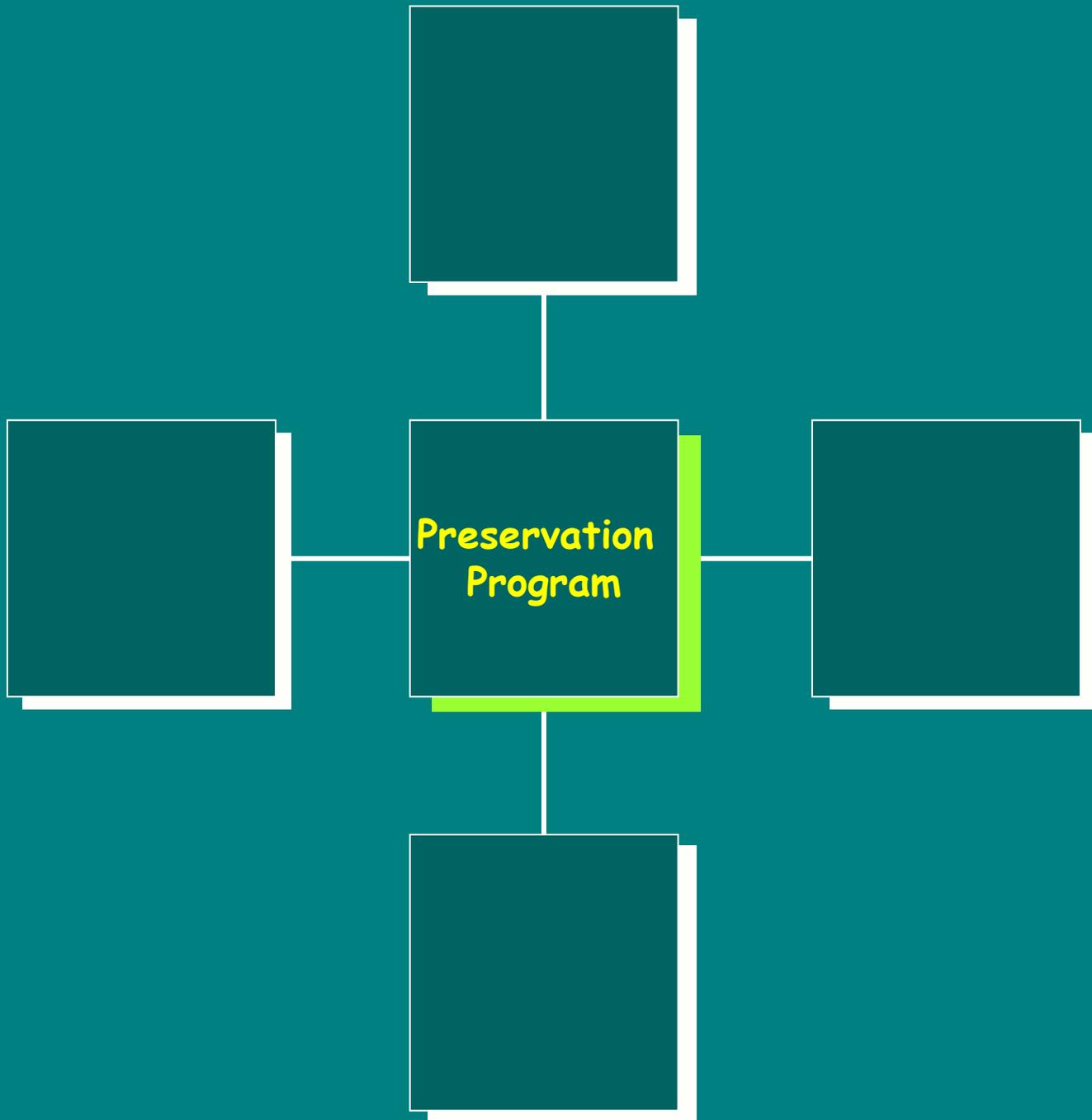
- Preservation Planning
- Identification
- Evaluation
- Registration
- Historical Documentation
- Architectural and Engineering Documentation
- Archeological Documentations
- Historic Preservation Projects
- Qualification Standards

# Secretary of the Interior's Standards for Preservation Planning

- What they do:
  - Preservation planning organizes preservation activities in a logical sequence
    - They put planning into historic preservation
  - These standards outline
    - When an area should be examined for historic properties
    - Whether an identified property is significant
    - How a significant property should be treated

# Secretary of the Interior's Standards for Preservation Planning

- Basic principles:
  - Historic properties are nonrenewable resources. Important properties cannot be replaced if destroyed.
  - Preservation in place is desirable.
  - Avoid Harm
  - For preservation planning to have positive effects, it must begin before the identification of all significant properties has been completed



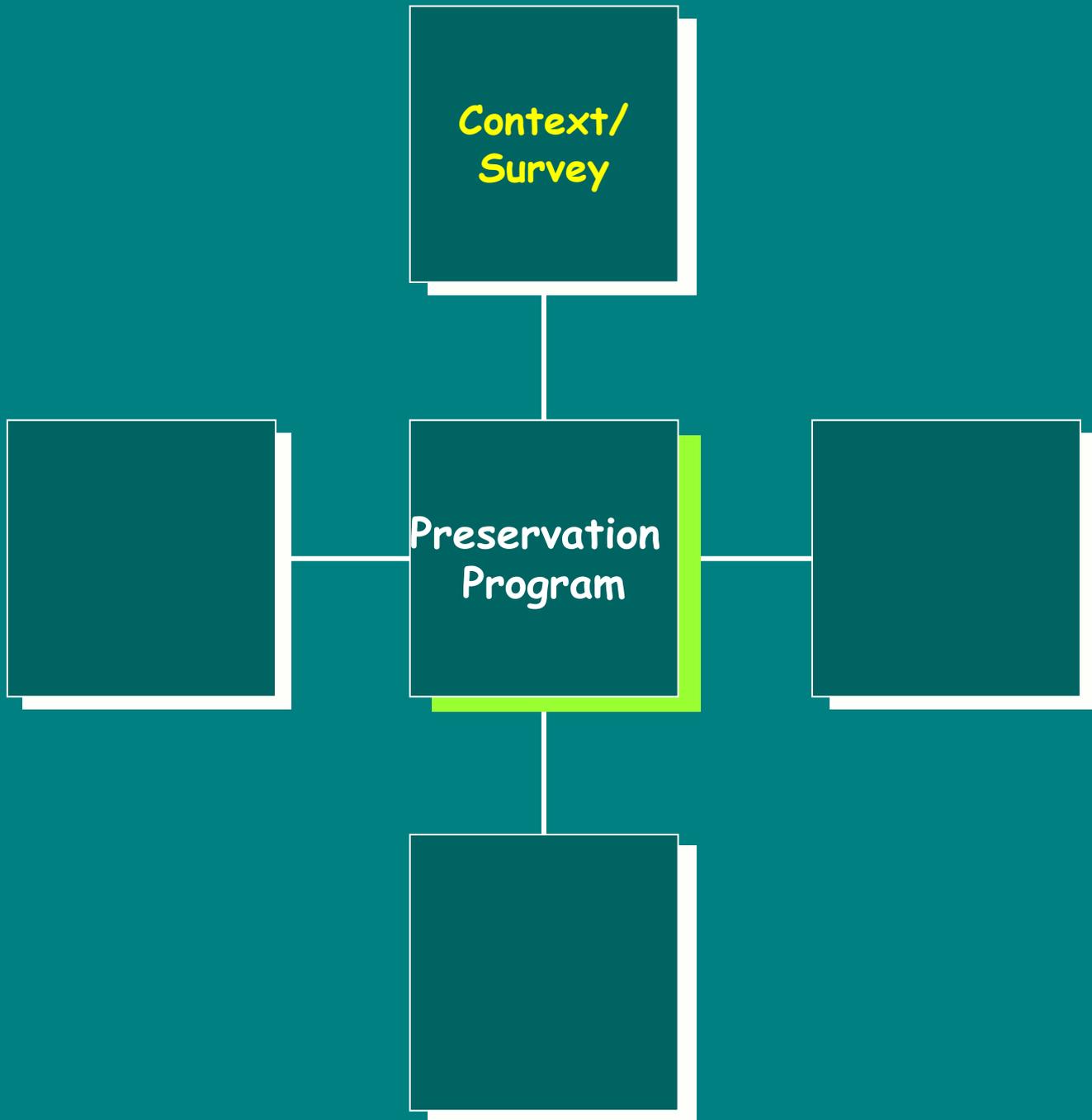
# Building a Comprehensive Preservation Program



- Contexts and Surveys
- Historic Preservation Element
- Ordinance/ Commission
- Education and Public Involvement

# Standard I. Preservation Planning Establishes Historic Contexts

- Decisions about the identification, evaluation, registration and treatment of historic properties are most reliably made when the relationship of individual properties to other similar properties is understood. This organizational framework is called a historic context.



**Context/  
Survey**

**Preservation  
Program**

Historic Contexts & Survey are  
the **Foundation** upon which  
preservation planning is built.



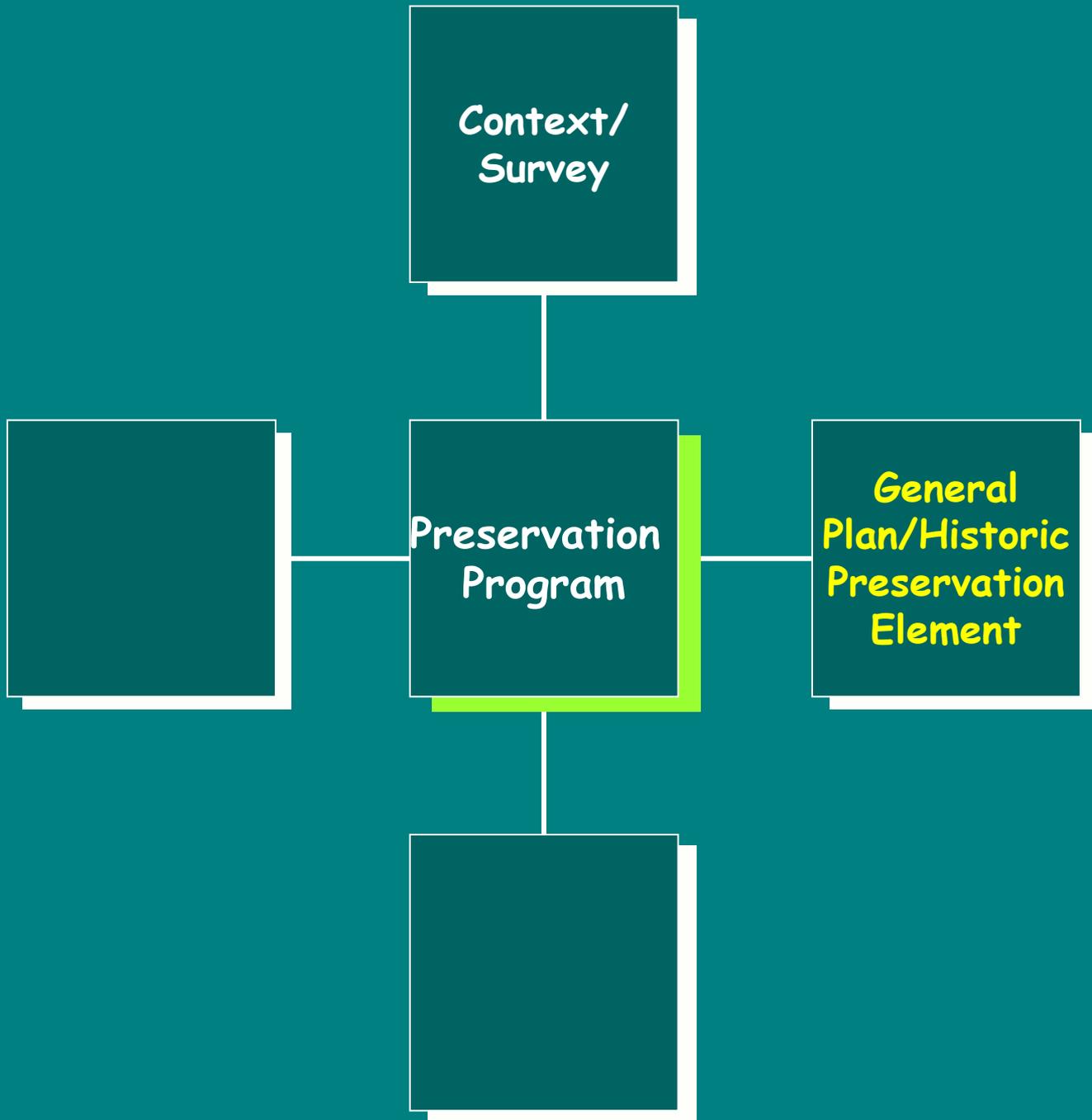
# Historic Context & Survey: Multi-Purpose Tools



- Data collection
- Provides the information to identify and prioritize preservation goals
- Tells us **where** properties are, **what** they are, and **whether** they are historic properties
- Assists in identification of resources worthy of further recognition or designation
- Offers predictability by alerting ahead of time how properties will be treated in regulatory procedures and code enforcement

# Standard II. Preservation Planning Uses Historic Contexts to Develop Goals and Priorities for the Identification, Evaluation, Registration and Treatment of Historic Properties

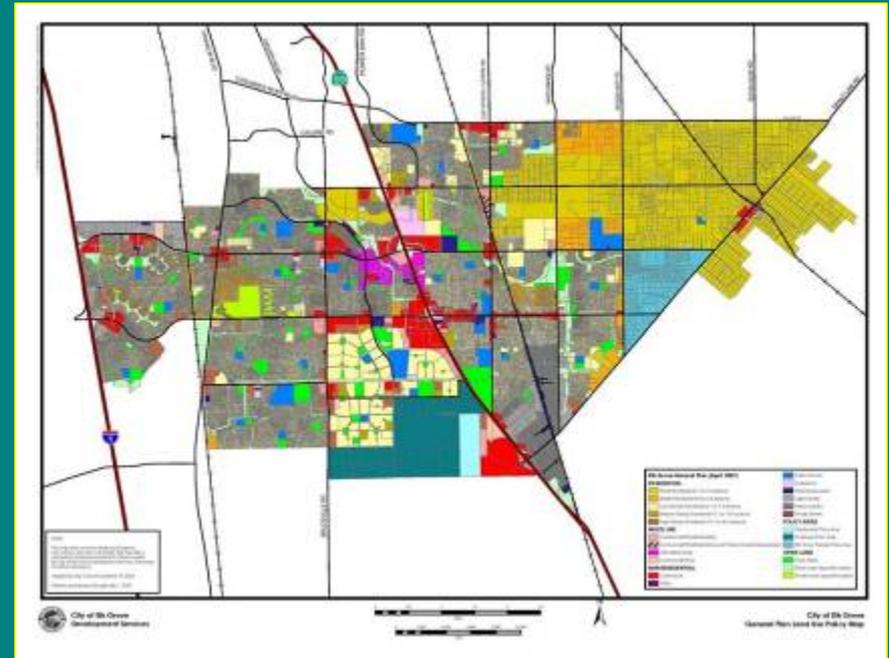
- Goals are developed for each historic context to ensure that a range of properties representing the important aspects of each historic context is identified, evaluated and treated.
  - Informs the General Plan and the Historic Preservation Ordinance



# Historic Preservation Element of the General Plan

Reflects community's historical contexts

- General Plans represent the only formal, unified overview of the quality of life in a community
- General Plans are the place to link historic preservation into land use planning
- Constitutional analogy



Elk Grove General Plan Land Use Map

# Historic Preservation Element

## Elk Grove

### Goal/Policy/Action

#### Goal

- Preservation and enhancement of Elk Grove's historic structures and districts

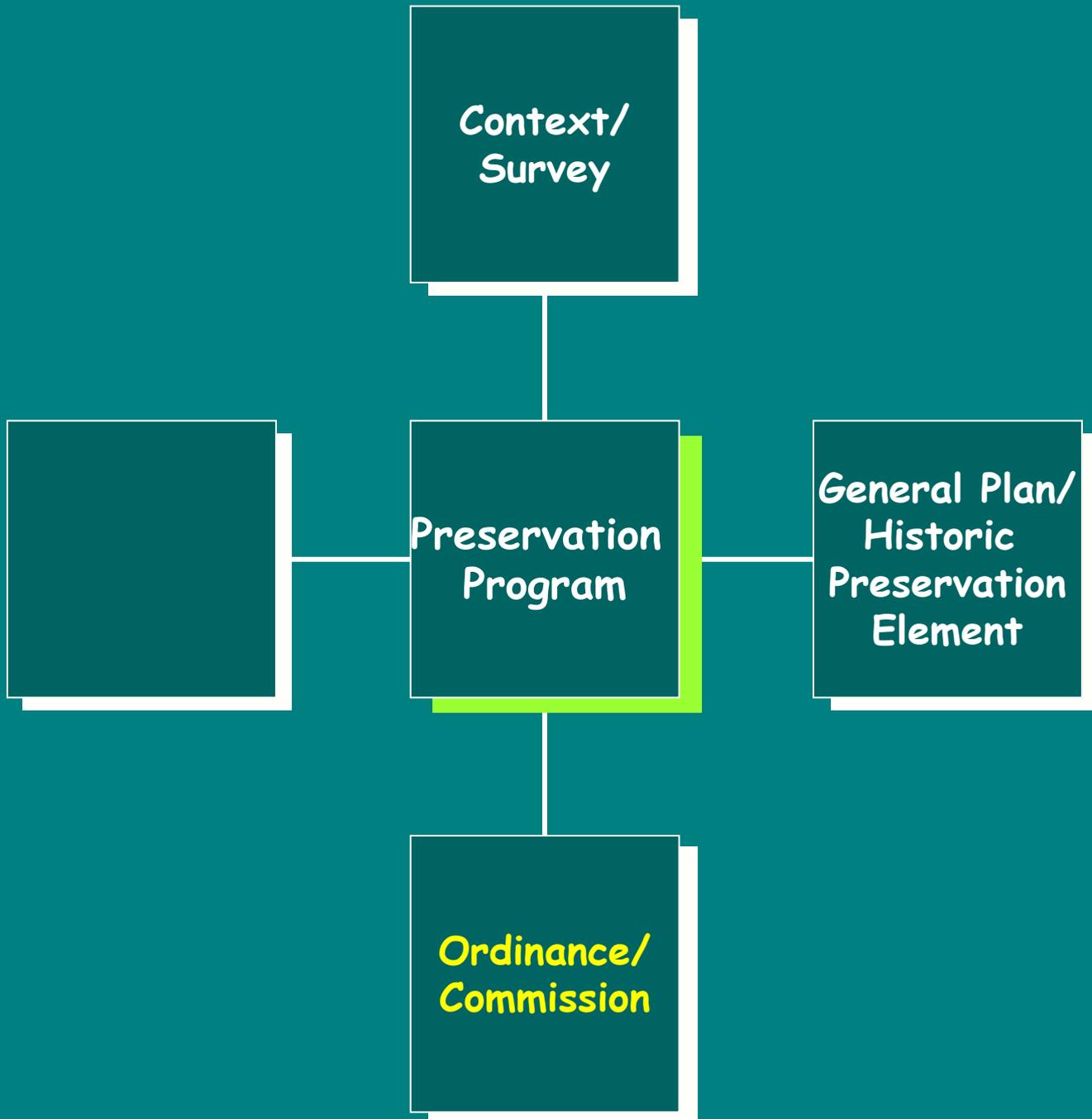
#### Policy

- Encourage the preservation and enhancement of existing historical and archaeological resources in the City

#### Actions

- Adopt a Historic Preservation Ordinance
- Establish a Historic Preservation Committee
- Develop and update a comprehensive historic resource inventory

**Flexibility** - State law stipulates no more than four general plan amendments per year



# Adopting a Preservation Ordinance

“The preservation ordinance is nothing more than local legislation enacted to protect buildings and neighborhoods from destruction or insensitive rehabilitation. . . .”

Pratt Cassity, *Maintaining Community Character: How to Establish a Local Historic District*, NTHP, 2002



# Strengths of Local Listing

- *"The primary strength of a local designation is that it can be tailored to specific community needs and provides greater protection for local resources."*
  - *CITY OF PRESCOTT, ARIZONA, MASTER PLAN, 1997*

# Things to Think About!

The ordinance should fit your community  
Reflects community historical contexts

- What is the purpose of the ordinance?
- What resources should be protected?
- How best to protect them?
- How will ordinance be administered and enforced?



# Enabling Authority



- **California Constitution:** "Police power" of local governments to protect the health, safety and welfare of citizens
- **California Statutes:** California Government Code Sections 25373(b) for counties and 37361(b) for cities
- **Courts:** U.S. Supreme Court - Penn Central Transportation v. New York City

# KEY ELEMENTS

- Purpose
- Enabling Authority
- Preservation Commission
- Designation Procedures & Criteria
- Treatment of historic properties
- Economic Effects
- Incentives



- Enforcement
- Appeals
- Definitions
- Severability

# Establishment of the Preservation Commission



- Who administers and enforces preservation ordinance?
- Composition of Commission
  - Who appoints?
  - Term?
  - Professional qualifications?

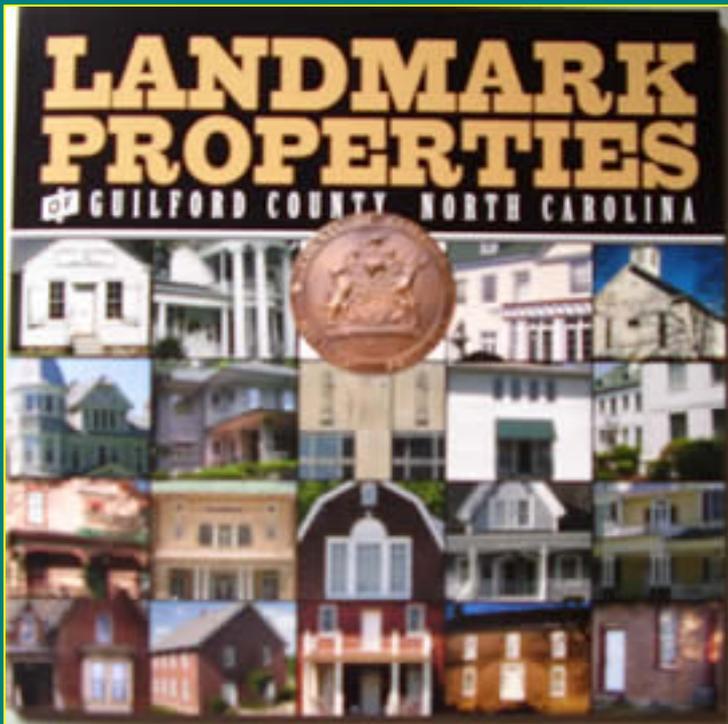
# Establishment of the Preservation Commission

## Scope of Powers

- Maintain local inventory
- Designation
- Review and Comment
- Make recommendations
- Incentives
- Public education
- Relationship with Planning Commission, City Council, and other agencies



# Historical Resources Criteria

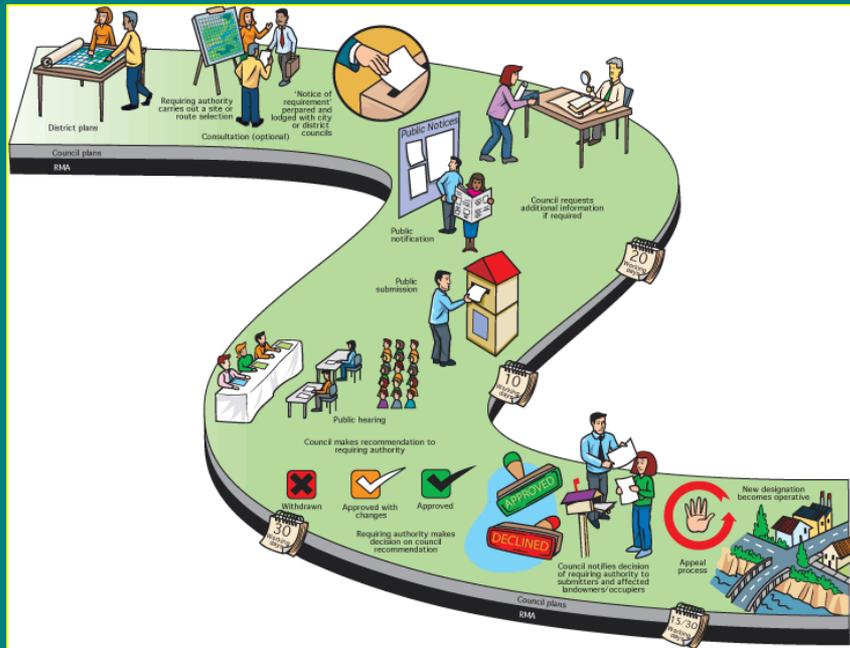


- Provide clear criteria standards
- Define key terms
- Use local criteria that match National Register and California Register to facilitate CEQA/Section 106 reviews
- Think in terms of historic zoning

# Treatment of Historic Properties Procedures & Criteria

## Appropriate Level & Amount of Review

- Demolitions
  - Deny ?
  - Delay ?
- Alterations
  - Deny ?
  - Delay ?
- New construction in historic areas
  - Deny ?
  - Delay ?



# Treatment of Historic Properties Adopt Appropriate Review Standards

- Standards need to be
  - Defined
  - Reflect local preservation goals
  - Provide for due process
  - Efficient
  - Fair
  - Limit administrative discretion
  - Result in predictable decisions



# Enforcement



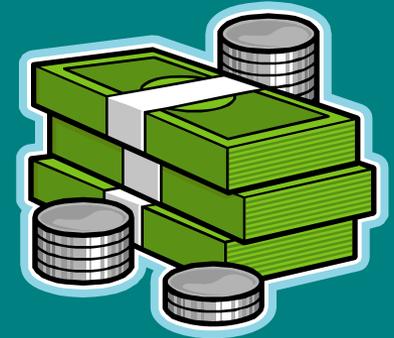
Primary Goal: Compliance

- Penalties for non-compliance need to outweigh the "benefits"
- Remedies for non-compliance
  - Fines
  - Injunctive relief to stop illegal demolition and enforce ordinance
  - Receiverships & entry onto land to correct
  - Forcing reconstruction
  - Loss of further entitlement



# Incentives

- Mills Act
- Encourage federal tax credits
- Apply State Historic Building Code
- Waiver permit fees
- Exceptions to underlying zoning standards
- Preservation easements
- Official recognition/Awards
- Parking reductions



# Definitions

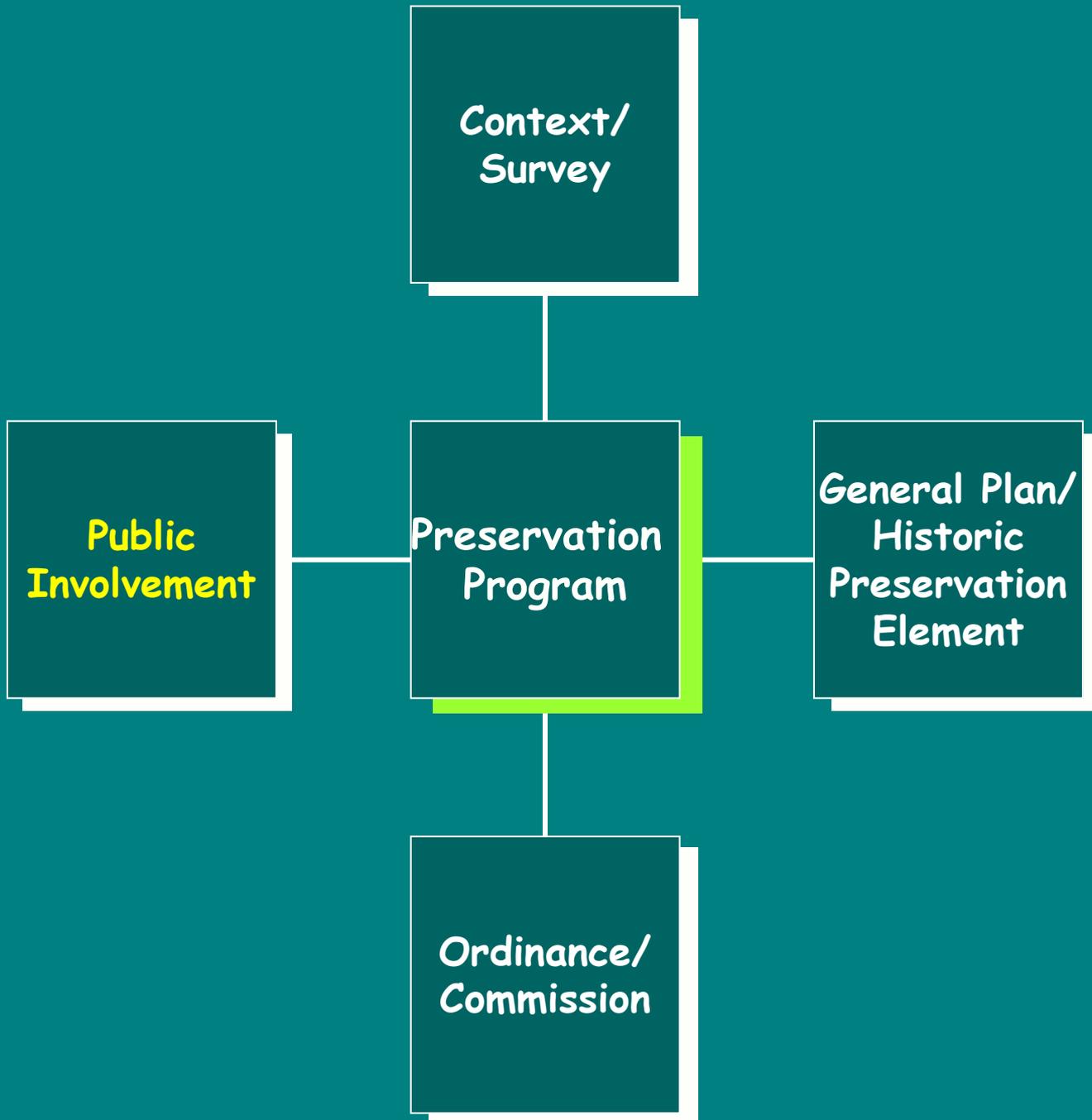
- Use terms and definitions shared by National Register, California Register, and CEQA to promote better understanding
- Thorough and complete definitions are needed to sustain judicial challenge
  - Difference between alterations and demolitions
  - Types of buildings, structures, signs, or other features



# Secretary of the Interior's Standards for Preservation Planning

- Good planning promotes public education and technical assistance
- Preservation planning includes public participation, including the Historic Preservation Commission







# Standard III. The Results of Preservation Planning Are Made Available for Integration into Broader Planning Processes

- Preservation of historic properties is one element of larger planning processes.
  - It puts historic preservation into the planning process

# Preservation Program

- ✓ Historic Context/Survey
- ✓ Preservation Element
- ✓ Preservation Ordinance/Commission
- ✓ Public Outreach



# For more information about The Secretary of the Interior's Standards for Archeology and Historic Preservation

- National Park Service,  
[http://www.cr.nps.gov/local-law/arch\\_stnds\\_0.htm](http://www.cr.nps.gov/local-law/arch_stnds_0.htm)

# For more information about General Plans and Historic Preservation Elements:

- State of California, Governor's Office of Planning & Research, *General Plan Guidelines*, Chapter 6: Optional Elements (2003),  
[http://www.opr.ca.gov/planning/publications/General\\_Plan\\_Guidelines\\_2003.pdf](http://www.opr.ca.gov/planning/publications/General_Plan_Guidelines_2003.pdf)
- State of California, Governor's Office of Planning & Research, *General Plan Guidelines Update*,  
<http://www.opr.ca.gov/index.php?a=planning/gpg.html>

# For More Information about Historic Preservation Ordinances

- California Office of Historic Preservation, Technical Assistance Series 14, *Drafting Effective Historic Preservation Ordinances*, revised June 2005, [http://www.parks.ca.gov/pages/1069/files/14\\_hp\\_ordinances.pdf](http://www.parks.ca.gov/pages/1069/files/14_hp_ordinances.pdf)
- Samples of local historic preservation ordinances, [http://www.parks.ca.gov/?page\\_id=1243](http://www.parks.ca.gov/?page_id=1243)

# [www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov)

The screenshot shows the homepage of the California Office of Historic Preservation. At the top left is the CA.GOV logo. The main header reads "Office of Historic Preservation CALIFORNIA STATE PARKS". A navigation bar contains links for "State Parks", "OHP Home", "What's New", "Workshops", "CEQA", "CHRIS", "LEED", "THPO", "Landmarks", and "Newsletter". Below this is a secondary navigation bar with "SHPO", "Staff Contacts", "FAQs", "Decisions Pending", "Org Chart", and "Contact Us". A large banner image features a historic building and a map, with the text "Office of Historic Preservation" in a script font and the California State Parks logo. To the right of the banner are links for "OHP PUBLICATIONS and DPR", "523 FORMS", "WHAT'S NEW", "UPCOMING TRAINING and WORKSHOPS". A "Programs" section lists: Architectural Review, Governor's Awards, Local Gov't Assistance, Project Review, California Main Street, Incentives, Preservation Grants, and Registration. The main content area begins with the heading "Office of Historic Preservation" and the text "Welcome to OHP". Below this is a paragraph describing the mission of the Office of Historic Preservation (OHP) and the State Historical Resources Commission (SHRC).

CA.GOV

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Office of Historic Preservation

CALIFORNIA STATE PARKS

OHP PUBLICATIONS and DPR  
523 FORMS  
WHAT'S NEW  
UPCOMING TRAINING and WORKSHOPS

Programs | Library | SHR Commission | Links

- Architectural Review
- Governor's Awards
- Local Gov't Assistance
- Project Review
- California Main Street
- Incentives
- Preservation Grants
- Registration

**Office of Historic Preservation**  
Welcome to OHP

The mission of the **Office of Historic Preservation (OHP)** and the **State Historical Resources Commission (SHRC)**, in partnership with the people of California and governmental agencies, is to preserve and enhance California's irreplaceable historic heritage as a matter of public interest so that



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