



# Memorandum

**TO:** Rules and Open Government  
Committee

**FROM:** Joseph Horwedel

**SUBJECT:** Study Session on Historic Preservation **DATE:** September 4, 2008

Approved

*Diana Juba*

Date

*9/5/08*

## RECOMMENDATION

Approval to set the Study Session on Historic Preservation as follows:

Date: Tuesday, October 23, 2008  
Time: 9:00 a.m. – 12:00 p.m.  
Location: Council Chambers

## PURPOSES OF STUDY SESSION

The study session is intended to provide:

1. An overview of existing City strategies, policies, and procedures for Historic Preservation.
2. 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.
3. An opportunity for the Council to articulate its preservation priorities.

## OUTCOME

As a result of the Study Session, the Administration will obtain Council direction regarding Historic Preservation priorities.

## 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 buildings are listed on the Historic Resources Inventory, 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 for delay in the development review process. In contrast, the preservation community may mobilize to save the structure.

### ANALYSIS

San Jose has an existing policy framework that currently guides the evaluation and consideration of historic resources. The framework includes the San Jose 2020 General Plan, Council policies, and Municipal Code. Specifically, the General Plan recognizes 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. 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.

State law, through the California Environmental Quality Act (CEQA), calls for the evaluation of existing structures, sites and areas in order to consider conserving historical resources of lesser significance and to preserve wherever feasible historical resources of greater significance to address the cumulative loss of historical resources through incremental demolitions resulting from land use decisions.

The Fiscal Year 2008/09 budget provides resources to initiate some 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.

### STUDY SESSION CRITERIA

- Criterion 1:** Due to the nature of the topic area, may report to more than one Committee.
- Criterion 2:** Topic area falls under more than one City Service Area.
- Criterion 3:** Topic is a Citywide issue/policy that needs Council's direction and input to proceed.

- Criterion 4:** There is a significant amount of public interest and requires a study session to accommodate public input.
- Criterion 5:** There are outside organizations that need to participate or sit on a panel.

**COORDINATION**

This study session presentation and materials are 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  
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For questions please contact Akoni Danielsen, Principal Planner, at 408-535-7823.