

City of San José, California

CITY COUNCIL POLICY

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| 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.