

# How Old is too Old? Completing and Updating Historic Resource Surveys

California Preservation Foundation Webinar

*Presented by:*

**Bridget Maley**, Principal  
architecture + history, llc  
San Francisco, Ca



# A Conversation Overheard...

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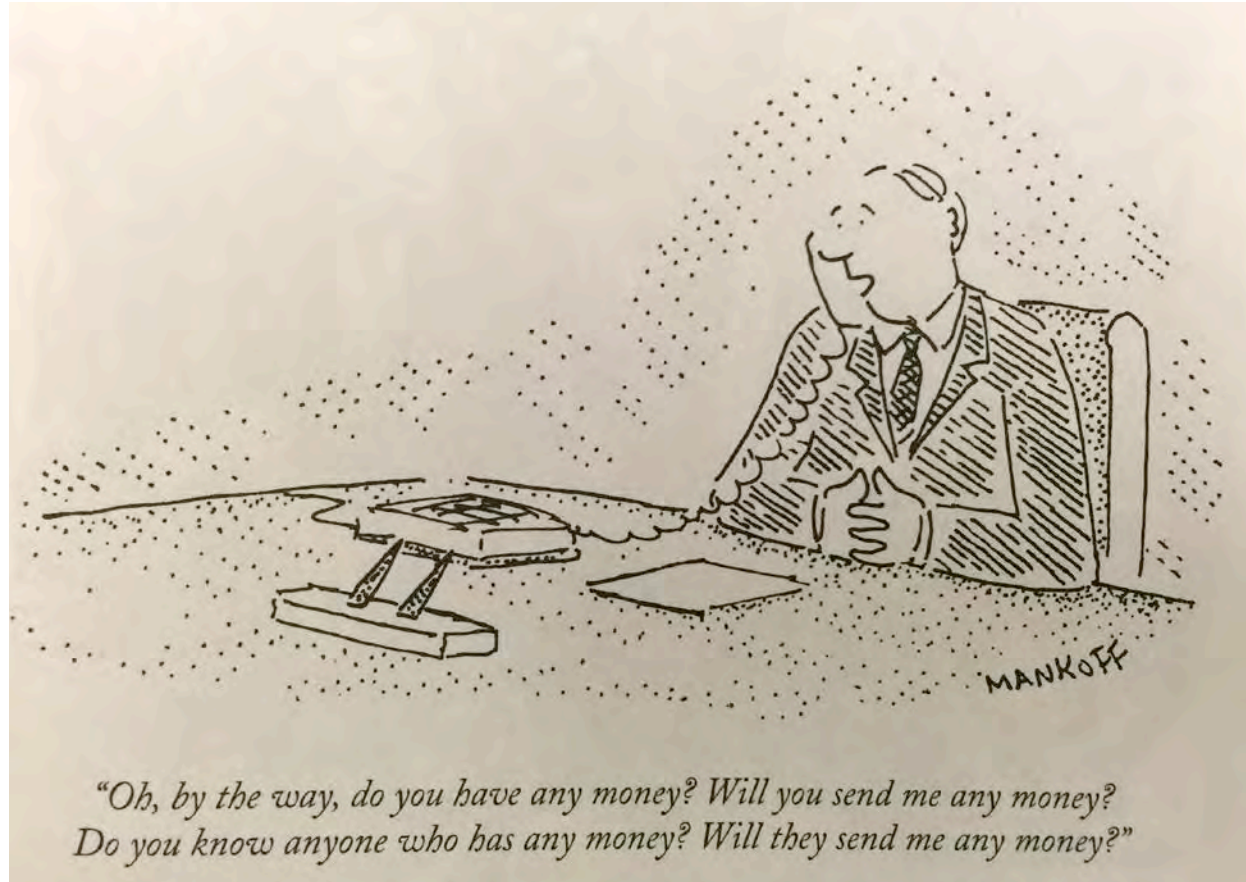
So the Planning Director says to the  
Historic Preservation Planner...

"What?!? You want to do what?"

But we updated our historic resources  
survey 30 years ago..."

An audible sigh was heard from the  
Historic Preservation Planner...

# A Conversation Overheard...



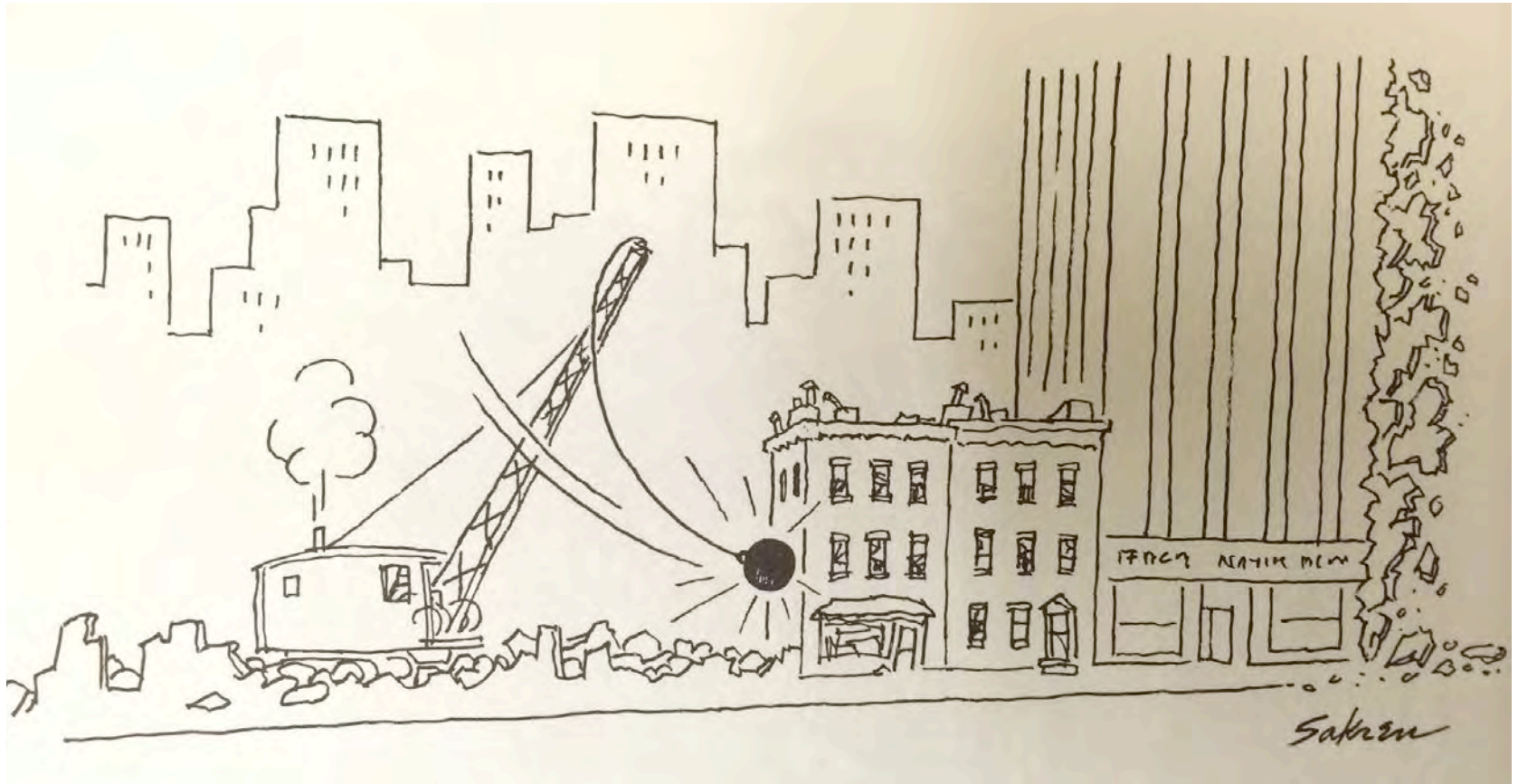
# Finding Answers and \$\$\$

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Oh, the trials and tribulations of managing historic resource information at the local level...

So when do you need to update your community's Historic Resource Survey?  
And why? And how do you fund it?

# Before This!



# Avoid Mistakes!!

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An important reason to update surveys and understand historic resources is to avoid last minute trauma and anguish over demolition or significant alteration of older buildings.

# Why Update Older Surveys?



# New Information

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Provide additional information to the record that may be more readily available – research methods have changed and improved in the digital world.



# New Information

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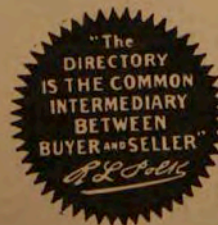
# New Information

POLK'S  
FRESNO CITY  
AND  
FRESNO COUNTY  
DIRECTORY  
1926

Containing an Alphabetical List of Business Firms and Private Citizens and Its Environs; a Directory of the City, County and State Officers, Churches, Public and Private Schools, Secret, Benevolent, Literary and other Associations; a Revised Street and Avenue Householders Guide of the City; a

**"BUYERS' GUIDE"**  
AND A COMPLETE  
CLASSIFIED BUSINESS DIRECTORY

PRICE



\$15.00

R. L. POLK & CO. of California  
PUBLISHERS

# Cultural Significance

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Move beyond purely architectural evaluations that were often the only criterion for significance in older surveys; evaluate cultural significance as well

# Angel Island, San Francisco

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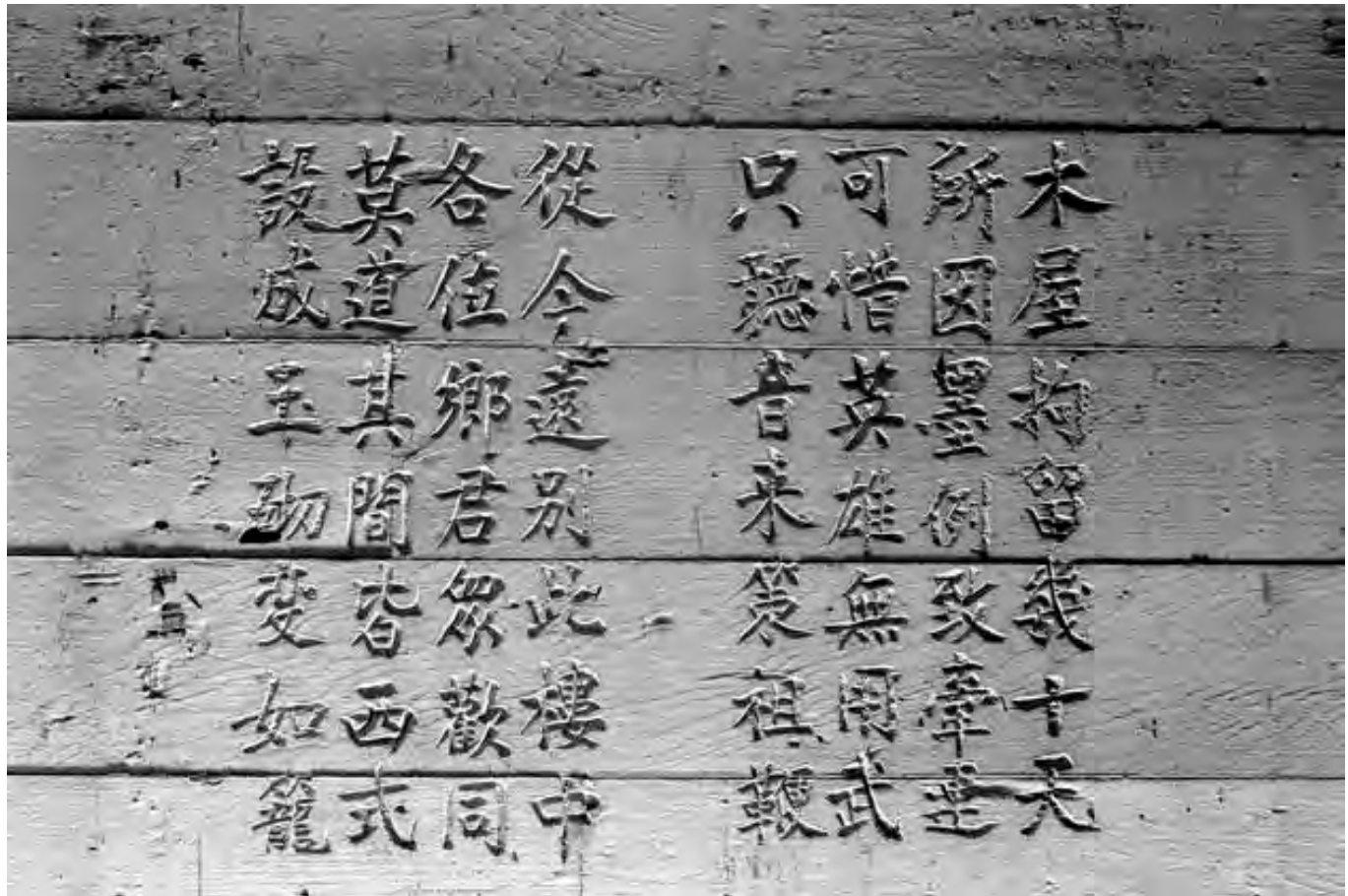


# Angel Island, San Francisco

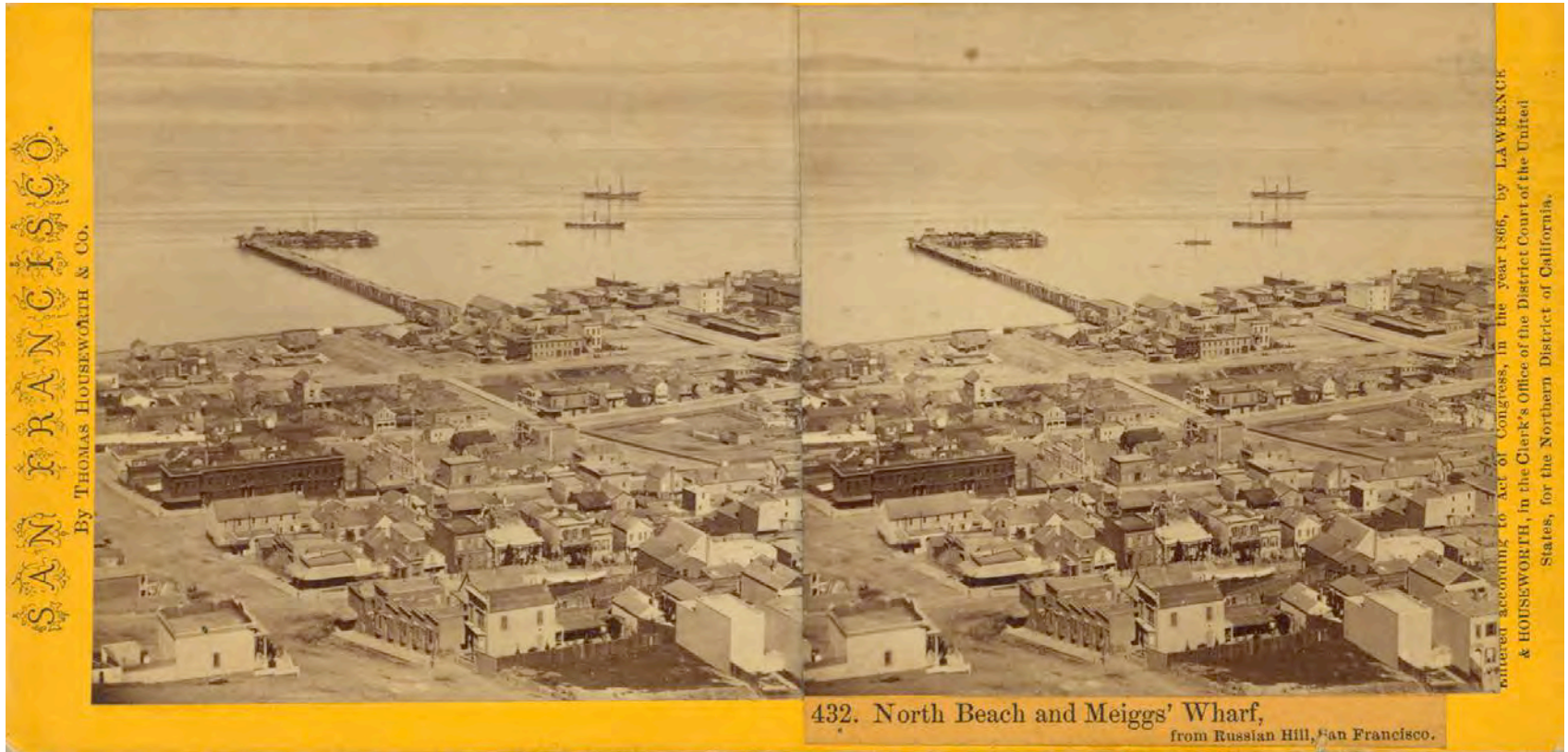
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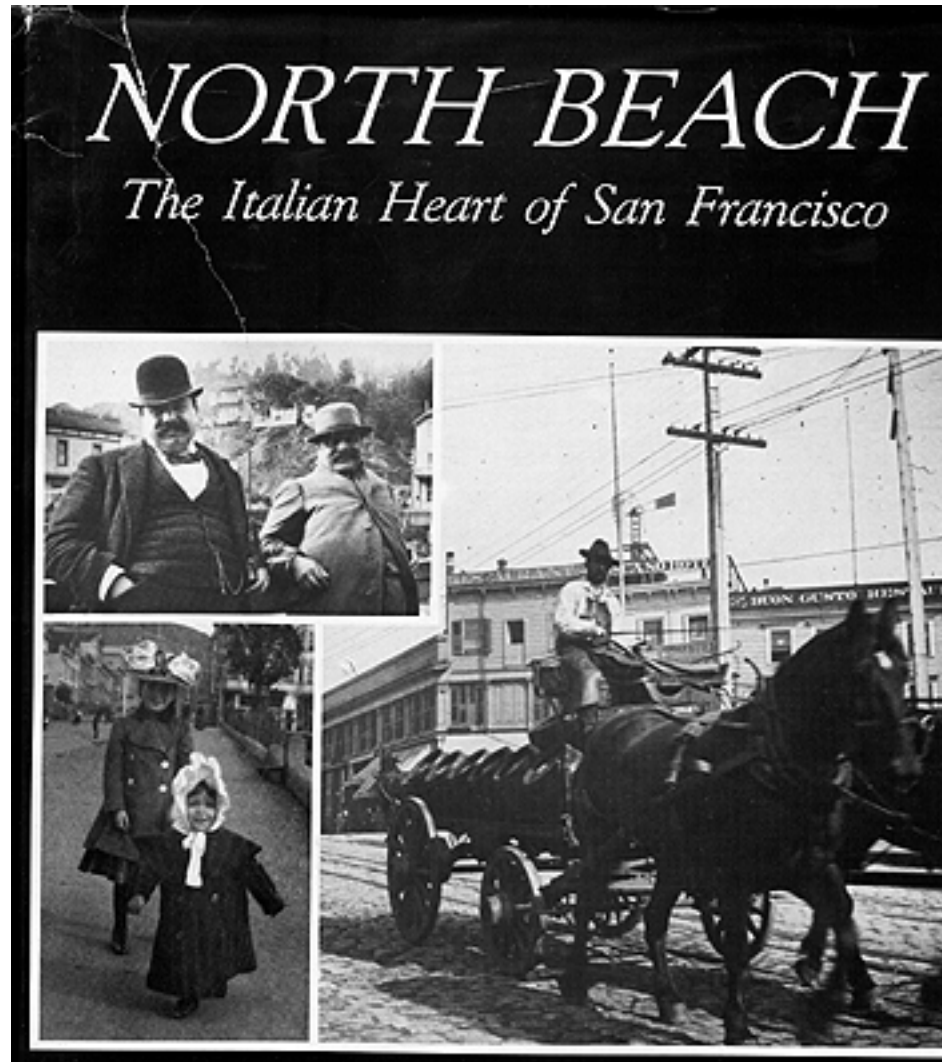
# Angel Island, San Francisco



# San Francisco's North Beach



# San Francisco's North Beach



# San Francisco's North Beach

710 Montgomery  
 street address block number 196 lot number 10 summary 3  
 Offices / 3 (interior galleries)  
 building type/use/number of floors landmark number

RELATIONSHIP WITH SURROUNDING BUILDINGS

Relationship of setting to building -2 -1 0 1 2 3 4 5  
 Importance as contribution to a cluster/streetscape -2 -1 0 1 2 3 4 5

ARCHITECTURAL DESIGN VALUATION

Facade proportions -2 -1 0 1 2 3 4 5  
 Richness/Excellence of detailing/decoration -2 -1 0 1 2 3 4 5  
 Unique visual feature of interest 0 1 2 3 4 5  
 Example of a rare or unusual style or design 0 1 2 3 4 5  
 Overall architectural quality -2 -1 0 1 2 3 4 5

PROPOSED FOR FURTHER INVESTIGATION

CORNICE, PARAPET, APPENDAGE

Importance of cornice to building design -2 -1 0 1 2 3 4 5  
 Cornice contribution to streetscape -2 -1 0 1 2 3 4 5

FACADE CONDITION

Physical condition -2 -1 0 1 2 3 4 5  
 Paint/Material color -2 -1 0 1 2 3 4 5

REMODELING

Appropriateness of improvements -2 -1 0 1 2 3 4 5

3/1/76 Kerns  
 date

#30




photo 30

Field Notes

Second and third floors combined in two-story high gallery.  
 Mission/Secessionist flavor. Wings in second & third floor levels. Ground floor more closely resembles 19th cent. commercial brick block in prop, scale, detail.  
 Worst (or better) things than the above happened when the Black Cat was located here on the ground floor.

Review Notes

Junior League Listing  
 text  index  file  
 Northern California Guide  
 Other Listing \_\_\_\_\_

B8

# San Francisco's North Beach



# Apply Updated Criteria

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Use California Register criteria that were not in place when older surveys were completed.

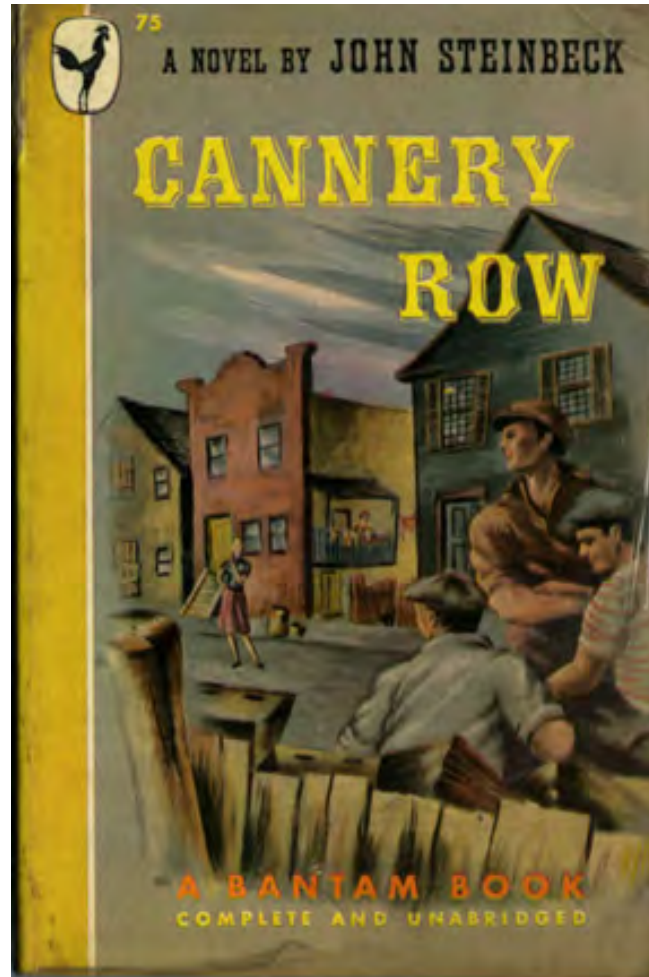
California Register has alternative language about integrity.

# Apply Updated Criteria

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It is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the National Register, but they may still be eligible for listing in the California Register

# Cannery Row - Monterey



# Cannery Row - Monterey



# Cannery Row - Monterey



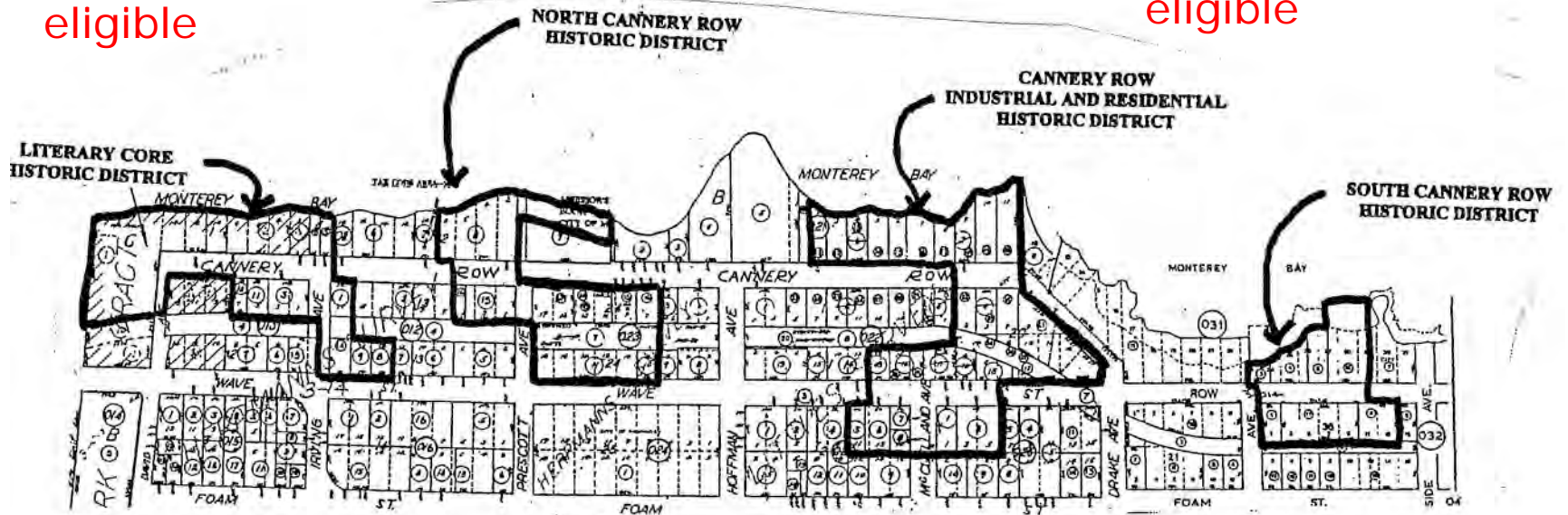
# Cannery Row - Monterey



# Cannery Row - Monterey

Northern end  
National Register-  
eligible

Southern end  
California Register-  
eligible



# Re-evaluate Significance

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Consider properties that may have achieved significance since the survey was originally conducted

In many cases this includes resources of the Modern Movement that were likely less than 50 years in age at time of previous survey.

# Work of A Master

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# Work of A Master

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Eric Mendelsohn leaves Germany for England in 1933

Comes to United States 1941; designs Maimonides Hospital, San Francisco 1946

Russell House, San Francisco; 1951

# Work of A Master

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# Work of A Master

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# Work of A Master

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# New Significance

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This could also include a use that has become 50 years in age since previous survey or an important person that lived or worked at the site within 50 years.

# New Significance

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# New Significance



# New Significance

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Henry Doelger – “Poor Man’s Frank Lloyd Wright.”

Large tracks of low-cost housing; famous “little boxes”

Art Deco gem but more important for its association with Doelger’s business

# Tie to Planning Activities

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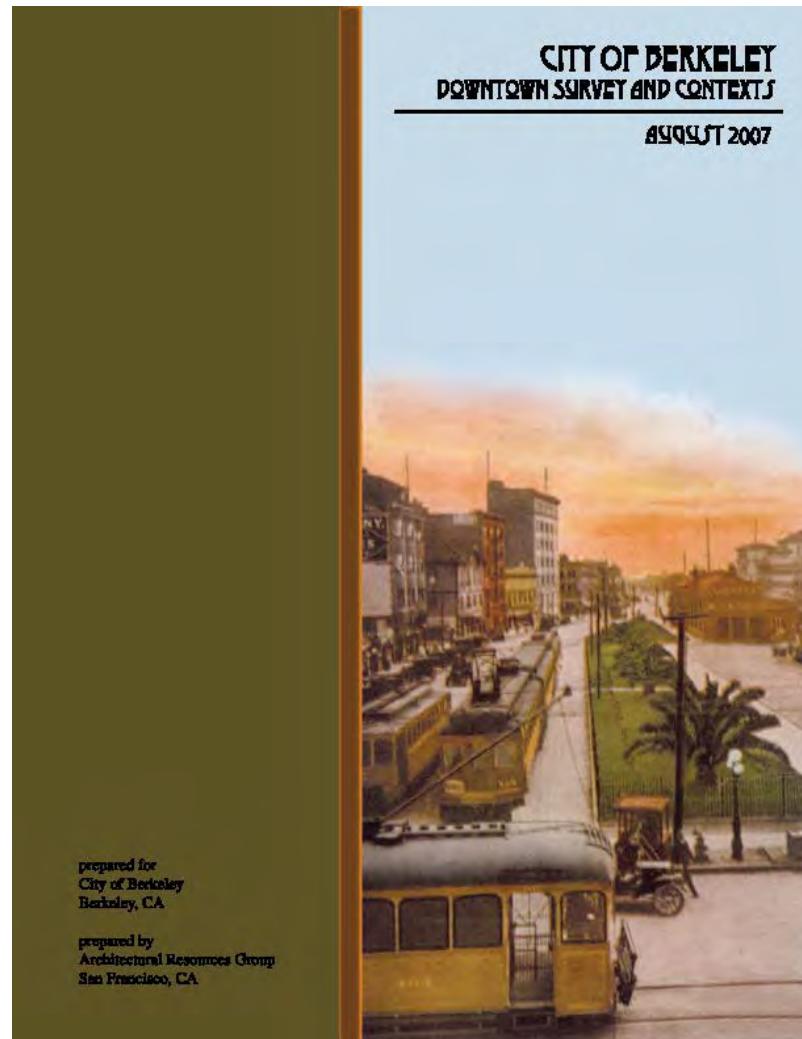
Combine historic resource survey activities or updates with other planning projects such as neighborhood or area plans; survey information can inform planning process

# Tie to Planning Activities



# Tie to Planning Activities

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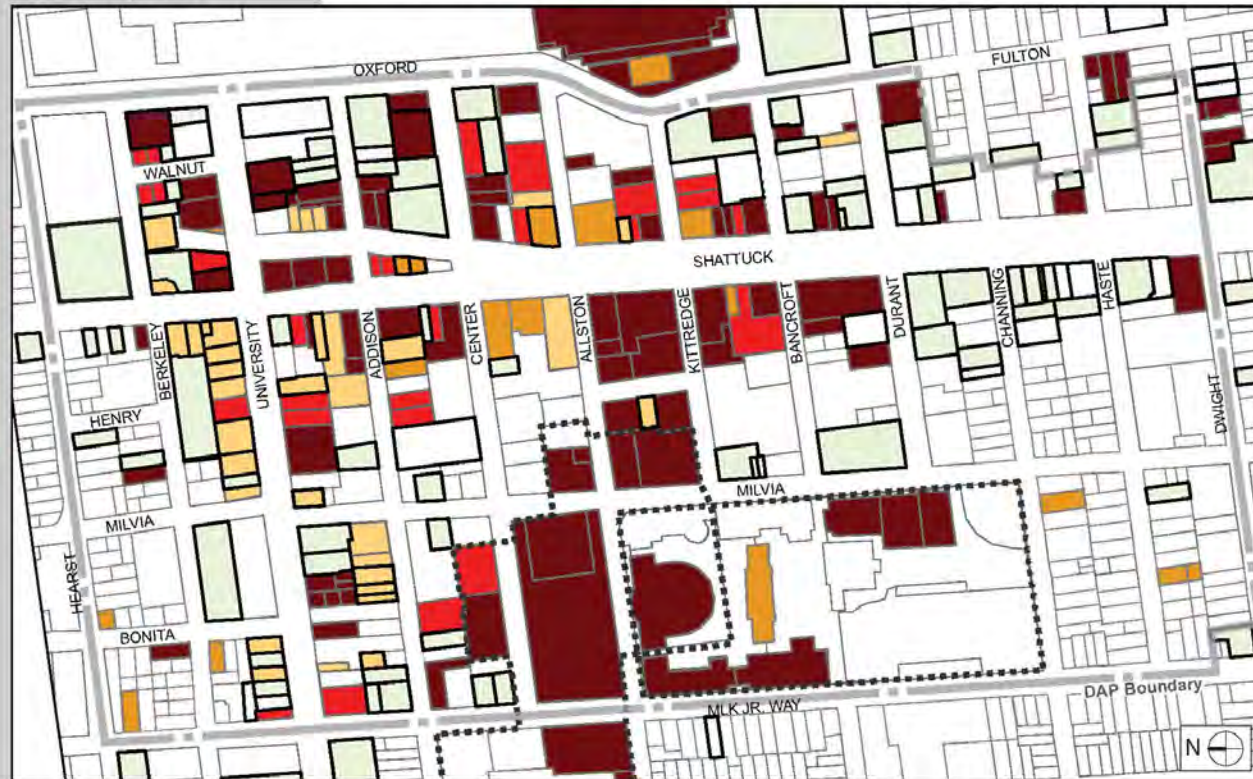
# Tie to Planning Activities

**FIGURE HD-3:  
Historic Resources,  
Noteworthy  
Buildings and  
Potential  
Development  
Opportunity Sites**

- Designated Landmark or Structure of Merit
- Significant per both 1993 LPC List and 1994 Design Guidelines
- Building on SHRI
- Other Building called Contributing or Significant by BAHA Report, 1990 Downtown Plan, LPC List, or Design Guidelines

- Development Opportunity Site (indicated by heavy outline around site)
- Development Opportunity Site apparently containing no Historic Resource
- Civic Center Historic District and Berkeley High School Campus

As of March 25, 2009. While the map is generally accurate the status of any individual parcel should be verified. (For site-specific information see the DAP Reconnaissance Survey Matrix.)



# Funding????

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Funding surveys is often the hardest part of the process.

CLG Grants can off-set costs, but often can't fund the entire project

# Update Survey in Phases

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A good strategy can be to update by area rather than try to update the survey for the entire city at one time

Prioritize areas that have never been surveyed before or neighborhoods that have extensive development pressure

# Update in Phases

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By phasing a project, a city, especially a large city, can budget for certain efforts over a phased period of time.

# Update in Phases





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# How Old is too Old? Completing and Updating Historic Resource Surveys



CPF Webinar:  
**How Old is Too Old?**  
**Completing and Updating Historic Resources Surveys**

# So When Is a Survey Too Old??



∞ Surveys should be updated regularly (**every 5 years**) to:  
(Pub Res Code §5024.1, Title 14 CCR, Section 4850 et seq. )

- Consider properties that may have achieved potential significance since survey was originally conducted;
- Incorporate properties initially overlooked;
- Re-assess properties inaccurately evaluated;
- Identify sites moved or demolished;
- Re-assess/document physical changes
- Ensure local planning decisions are based on most current info

# Assess Existing Survey Efforts



Things to Consider:

**When?**

**How?**

**What?**

**Where?**

**Why?**

**Who?**



# Who Has an Old Survey?



## Just to Name a Few...

- Long Beach
- Beverly Hills
- Laguna Beach
- Santa Monica
- Santa Ana
- Others??...of course...





## - Historic Resources Inventory Update Project Example -

CPF Webinar:

How Old is Too Old? Completing and Updating Historic Resources Surveys



# Current Status



- ❧ Previous City Survey (1980-1981)
- ❧ Historic Resources Element in City's General Plan (1981)
- ❧ Historic Preservation Ordinance (1989)
- ❧ Historic Preservation Program:
  - (Project Review/Register/Heritage Committee/Mills Act/Other Incentives)
- ❧ California Environmental Quality Act (CEQA) review
- ❧ OHP HRI: Most of town listed as a historic district (contributors)



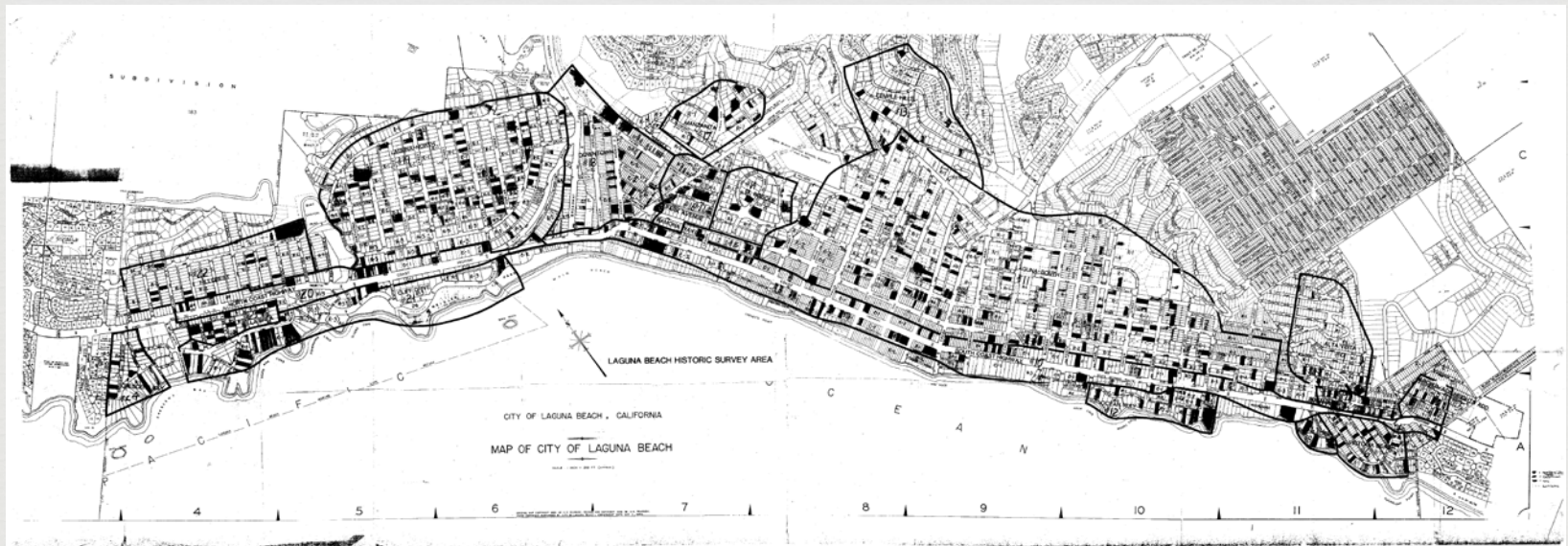
# Past Inventory Work



- ∞ 1980-1981: Historic Survey conducted
- ∞ 852 pre-1942 properties identified potentially historic
- ∞ Properties documented in neighborhoods on “street” forms
- ∞ Properties rated into three categories: “E” Exceptional; “K” Key; “C” Contributive (OHP Status Codes not used)
- ∞ 1981 historic survey recognized by City Council in 1982 (Historic Resources Inventory)



# 1981 Survey Area





# Historic Rating Classification

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- ❧ “E” rated: Exceptional buildings with outstanding historic integrity, excellent architectural significance, and possibly eligible for National Register listing.
- ❧ “K” rated: Key buildings with very good historic integrity and were fine period examples.
- ❧ “C” rated: Contributive buildings that contribute to the overall character and history of a neighborhood, but may not be unique in and of themselves.



# Survey Update Objectives



- ❧ Develop Historic Context Statement for Laguna Beach
- ❧ RE-IDENTIFY & EVALUATE all properties on Historic Resources Inventory
- ❧ Assess historic INTEGRITY of all Inventory listed properties
- ❧ Identify any properties also eligible for National Register and California Register listing
- ❧ Identify those properties NOT eligible for listing on the City's Historic Resource Inventory
- ❧ Study use of the E-K-C rating classification system used for previous survey, make recommendations and update City preservation ordinance, as applicable.
- ❧ Align City ratings with the State OHP Codes and CEQA



# Project Scope



- ❧ Hold kick-off meeting w/staff
- ❧ Conduct historical background research
- ❧ Update historic context statement
- ❧ Conduct field survey and photography
- ❧ Re-evaluate properties for significance
- ❧ Develop survey database with spreadsheet
- ❧ Prepare updated inventory forms
- ❧ Schedule public meetings, including Committee & Council
- ❧ Prepare survey report w/findings - recommendations



# Field Work



- ❧ Field survey from the “public right-of-way”
- ❧ Confirmation of properties
- ❧ Photographs
- ❧ Assess and Evaluate
- ❧ Review Findings w/Staff



# Update Historic Context



- ❧ Utilize Context in City's Historic Resources Element (GP)
- ❧ Framework to evaluate properties (thresholds)
- ❧ Organized by:
  - Theme
  - Place
  - Time
- ❧ Identify architectural styles, integrity levels, property types, etc.





# Evaluation Criteria



- National Register of Historic Places (National Register)
- California Register of Historical Resources (California Register)
- City of Laguna Beach

associations with:

- Important historical events
- Significant persons important in our past
- Represent important or rare historic property type
- Reflect distinctive characteristics of an architectural style
- Work of a master architect or builder
- Possesses high artistic value



# Assess Integrity



☞ Integrity is the ability of a property to convey its historical significance.

☞ To retain integrity a property will possess several of the aspects.

☞ Define the essential physical features to explain why and when the property is historic.

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association



# Survey Update Findings



PROPERTY	1980 SURVEY	SURVEY UPDATE
"C"Contributive	216	138
"K"Key	244	213
"E"Exceptional	70	68
Not Rated	6	1
Not Historic	N/A	87
Demolished	N/A	9
Placed on Register since surveyed	N/A	19



# Reasons for Changes



- ❧ Changes in property integrity since 1980, including demo
- ❧ New policies and guidance at federal level regarding use of historic contexts, application of criteria of significance, aspects of integrity, and identification of character-defining features (1988-1991)
- ❧ Creation and implementation of the California Register of Historical Resources (1992-1998)
- ❧ State's National Register status codes changed to California Historical Resource Status Codes (2003)
- ❧ Refinement of State's Historic Resources Inventory Forms-DPR- (1995) and definition of historic districts
- ❧ CEQA Regulations and Implications (OHP Status Code 5+)



# Utilizing OHP Status Codes



∞ OHP status codes are a three digit evaluation code for use in classifying historical resources:

- 1 =** Listed in the National Register (NR) or California Register
- 2 =** Determined eligible for listing in NR or CR
- 3 =** Appears eligible for listing in NR/CR via survey evaluation
- 4 =** Appears eligible for NR or CR through other evaluation
- 5 =** Recognized as historically significant by Local Government
- 6 =** Not eligible for listing or designation (also 6L special consideration)
- 7 =** Not evaluated for NR or CR or needs re-evaluation



# Re-interpretation of Laguna Beach Status Codes



OHP STATUS CODE	COUNT	LAGUNA STATUS CODE
<b>3</b> = NR Eligible	4	"E" Exceptional
<b>5S3</b> = Locally Historic	64	"E" Exceptional
<b>5S3</b> = Locally Historic	213	"K" Key
<b>5D3</b> = Local District	7	"K" Key
<b>6L</b> = Consider in Local Planning Process	131	"C" Contributive: Potential Structure of Merit
<b>6Z</b> = Not Historic	87	N/A
Demolished	9	N/A
Placed on City's Register since survey update began	19	N/A



# CEQA and the Rating Codes



- ☞ Under CEQA, historical resources are considered part of the environment.
- ☞ Projects that may cause a substantial adverse effect on the significance of a historical resource is considered a project that may have a significant effect on the environment.
- ☞ The definition of "historical resources" is contained in Section 15064.5 of the *CEQA Guidelines*.

## PROPOSED:

- ☞ "E" and "K" rated properties are subject to CEQA
- ☞ "C" rated properties considered at local planning level (process to be determined through ordinance update)



# Structures of Merit



- ❧ “E” Exceptional and “K” Key rated properties (5s)
- ❧ New status for “C” Contributive (6L) properties



- ❧ Introduction of Structure of Merit recognition
- ❧ Status code rated **6L**: considered in local planning
- ❧ Develop: Purpose, Criteria, Application in local planning
- ❧ Structure of Merit, provide some benefits and incentives
- ❧ CEQA compliance...exempt



# Historic Preservation Ordinance Update

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- Existing historic preservation ordinance will be updated to reflect changes to current policies and regulations.
- Format consistent with recommendations from OHP
- Will provide a more efficient oversight process
- Consideration of properties 45 years or older
- Will incorporate consideration of CEQA and other federal and state policies, regulations, and guidelines.



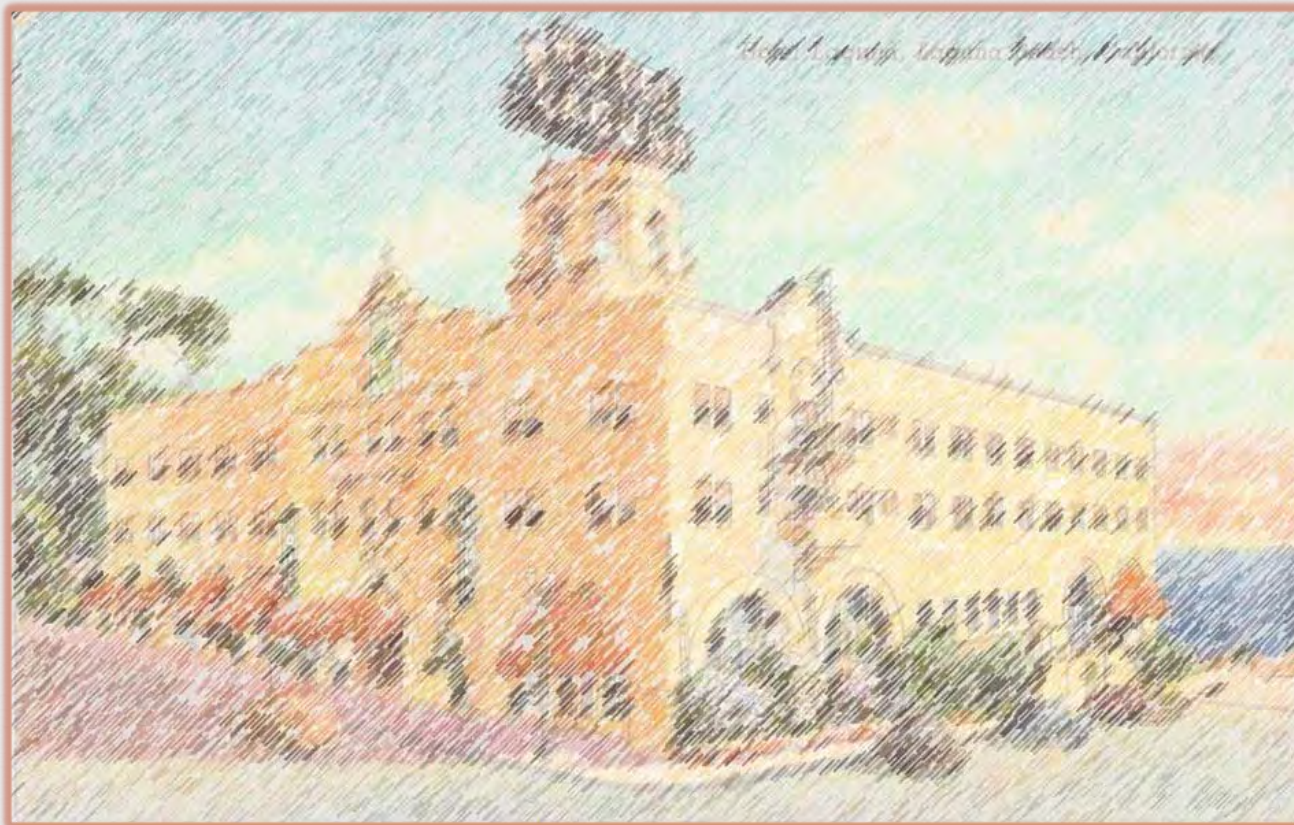
# Next Steps



- ❧ Continue working with City staff to clarify any outstanding issues, address current preservation policies and programs, consider streamlining CEQA project reviews, schedule final meeting
- ❧ Finalize survey report, inventory forms, and database
- ❧ Present findings to Heritage Committee/City Council
- ❧ Notice property owners of final results
- ❧ Incorporate/update data into City's GIS database
- ❧ Post information to City's website
- ❧ City review process: current, interim, future



# Thank You



# HOW OLD IS TOO OLD? UPDATING AND MANAGING HISTORIC RESOURCE SURVEYS.

1



# LEGAL IMPORTANCE OF UPDATED HISTORIC RESOURCE SURVEYS

2

*Amy Minter*

Chatten-Brown  
& Carstens LLP 



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Historical resource surveys provide an important tool to help identify and protect historic resources, particularly more recent resources.



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# NATIONAL REGISTER

## The 50-Year Rule:

- *Ordinarily...properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register.*

(36 C.F.R. § 60.4)



## Exception to the 50-Year Rule:

- A property achieving significance within the past 50 years if it is of exceptional importance.
- Examples: the launch pad at Cape Canaveral, the home playwright Eugene O'Neill, and the Chrysler Building



# CALIFORNIA REGISTER



- *“A resource less than fifty (50) years old may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historical importance.”*

Cal. Code Regs. tit. 14, § 4852



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# BENEFITS OF UPDATED SURVEYS

- Evaluation of resources less than 50 years old
- Setting local land use policy
- Listing on local register
- Listing on California Register



# BENEFITS OF UPDATED SURVEYS (CONT)

- Mills Act protections
- Use of State Historical Building Code
- CEQA



# CEQA

- A project is considered to have a significant impact on the environment if it may cause a substantial adverse change in the significance of an historical resource. (Pub Res Code § 21084.5.)



# CEQA

- **Mandatory:** Listed or Eligible for National or California Register
- **Presumptive:** “A resource included in a local register of historic resources...or identified as significant in an historical resource survey meeting the requirements [of] section 5024.1(g)” is presumed to be an historical resource.
- **Discretionary:** If not listed, otherwise determined by lead agency to be historical resource.

Cal. Code Regs. tit. 14, § 15064.5; Public Resources Code § 21084.1



# QUALIFIED SURVEY

Public Resources Code 5024.1(g) requirements for qualified survey:

- (1) Included in the State Historic Resources Inventory
- (2) The survey and the survey documentation were prepared in accordance with office procedures and requirements.



# QUALIFIED SURVEY (CONT)

(3) The resource is evaluated and determined by the office to have a significance rating of Category 1 to 5 on DPR Form 523.

## California Historical Resource Status Codes

- 1 Properties listed in the National Register (NR) or the California Register (CR)**
- 1D Contributor to a district or multiple resource property listed in NR by the Keeper. Listed in the CR.  
1S Individual property listed in NR by the Keeper. Listed in the CR.
- 1CD Listed in the CR as a contributor to a district or multiple resource property by the SHRC  
1CS Listed in the CR as individual property by the SHRC.  
1CL Automatically listed in the California Register – Includes State Historical Landmarks 770 and above and Points of Historical Interest nominated after December 1997 and recommended for listing by the SHRC.
- 2 Properties determined eligible for listing in the National Register (NR) or the California Register (CR)**
- 2B Determined eligible for NR as an individual property and as a contributor to an eligible district in a federal regulatory process. Listed in the CR.  
2D Contributor to a district determined eligible for NR by the Keeper. Listed in the CR.  
2D2 Contributor to a district determined eligible for NR by consensus through Section 106 process. Listed in the CR.  
2D3 Contributor to a district determined eligible for NR by Part I Tax Certification. Listed in the CR.  
2D4 Contributor to a district determined eligible for NR pursuant to Section 106 without review by SHPO. Listed in the CR.  
2S Individual property determined eligible for NR by the Keeper. Listed in the CR.  
2S2 Individual property determined eligible for NR by a consensus through Section 106 process. Listed in the CR.  
2S3 Individual property determined eligible for NR by Part I Tax Certification. Listed in the CR.  
2S4 Individual property determined eligible for NR pursuant to Section 106 without review by SHPO. Listed in the CR.
- 2CB Determined eligible for CR as an individual property and as a contributor to an eligible district by the SHRC.  
2CD Contributor to a district determined eligible for listing in the CR by the SHRC.  
2CS Individual property determined eligible for listing in the CR by the SHRC.
- 3 Appears eligible for National Register (NR) or California Register (CR) through Survey Evaluation**
- 3B Appears eligible for NR both individually and as a contributor to a NR eligible district through survey evaluation.  
3D Appears eligible for NR as a contributor to a NR eligible district through survey evaluation.  
3S Appears eligible for NR as an individual property through survey evaluation.
- 3CB Appears eligible for CR both individually and as a contributor to a CR eligible district through a survey evaluation.  
3CD Appears eligible for CR as a contributor to a CR eligible district through a survey evaluation.  
3CS Appears eligible for CR as an individual property through survey evaluation.
- 4 Appears eligible for National Register (NR) or California Register (CR) through other evaluation**
- 4CM Master List - State Owned Properties – PRC §5024.
- 5 Properties Recognized as Historically Significant by Local Government**
- 5D1 Contributor to a district that is listed or designated locally.  
5D2 Contributor to a district that is eligible for local listing or designation.  
5D3 Appears to be a contributor to a district that appears eligible for local listing or designation through survey evaluation.
- 5S1 Individual property that is listed or designated locally.  
5S2 Individual property that is eligible for local listing or designation.  
5S3 Appears to be individually eligible for local listing or designation through survey evaluation.
- 5B Locally significant both individually (listed, eligible, or appears eligible) and as a contributor to a district that is locally listed, designated, determined eligible or appears eligible through survey evaluation.



# QUALIFIED SURVEY (CON'T.)

- (4) The survey must have been prepared or updated within the past 5 years.



*League for Protection of Oakland's  
Historic Resources v. City of Oakland*  
(1997) 52 Cal.App.4th 896:



- City proposed demolition of Montgomery Ward building
  - Relied on MND
- City's Cultural Heritage Survey had determined the building eligible for National Register
- Court found presumptively historic
- EIR required because demolition of historic building is significant impact



*Citizens for Responsible Development in West Hollywood v. City of West Hollywood* (1995) 39 Cal.App.4<sup>th</sup> 490:

- Resources identified on survey more than 5 years old
- No update to survey
- City was not required to consider the resources historically significant
- No EIR required





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