

ARTICLE VII. - HISTORICAL PRESERVATION

13-21 - PRESERVATION OF HISTORICAL AND CULTURAL RESOURCES

13-21.1 – Purpose.

~~The purpose of this section is to promote the educational, cultural, and economic welfare of the City by preserving and protecting historical structures, sites, parks, landscaping, streets, and neighborhoods which serve as visible reminders of the history and cultural heritage of the City, State or Nation. Furthermore, it is the purpose of this chapter to strengthen the economy of the City by stabilizing and improving property values in historic areas and to encourage new buildings and developments that will be harmonious with the existing buildings and neighborhoods.~~
~~(Ord. No. 2898 N.S. § 5)~~

13-21.1 – Purpose.

The purpose of this section is to promote the education, safety and general welfare of the citizens of the City by:

- a. Recognizing and protecting Historic [and Cultural Resources](#): The recognition, protection, enhancement, perpetuation and use of historical- ~~and~~ cultural structures, sites, [districts, neighborhoods](#), parks, landscaping, streets, signs, markers, protected trees, [and](#) lamp standards, ~~and neighborhoods~~ that are reminders of past eras, events and persons important to local, state or national history, or that provide distinctive examples of architectural styles ~~of the past~~, or that are unique and irreplaceable assets to the City;
- b. Fostering of civic pride: The fostering of civic pride in the beauty and character of the city and in its past accomplishments;
- c. Enhancing of City character: The enhancement of the visual character of the City by encouraging the [preservation and maintenance and improvement of the City's Historical and Cultural historic rResources, structures and districts and by encouraging new construction that complements the City's historic buildings and district](#);
- d. Enhancing of property values: The enhancement of property values, the stabilization of neighborhoods, and the increase of economic and financial benefits to the City and its inhabitants;
- e. Supporting and enhancing the economic development of the community: The establishment and implementation of regulations and procedures that protect the historic character of the built environment and support and enhance the economic development of the community.

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e-f. Promoting environmental sustainability: Encourage the preservation and reuse of historic and cultural resources, as an environmentally responsible and sustainable practice, by recognizing that older buildings already exist and therefore do not require the energy and resources required to construct new buildings and infrastructure.

13-21.2 - Definitions

- a. *Alteration* shall mean any addition, or exterior modification, improvement, repair, or replacement of character defining elements, which alter or change the original materials or appearance of a historical al and cultural resource, including but not limited to, massing, roof forms, porches, finish materials, windows, and decorative detailsfeatures. The addition and alteration of awnings and signs, excluding historically designated signs, or interior modifications, improvements and repairs are not included in this definition. This definition includes work in designated interior space that is regularly open to the public, including but not limited to, a lobby area, primary– stairs, and corridors of designated interior features of a Historical Monument or Contributor. *(Note: Staff recommends revisiting the definitions of Alteration and Demolition as part of clarifying or determining the types of alterations subject to a Certificate of Approval by the HAB or staff. This discussion will occur in subsequent HAB meetings.)*

California Register California Historical Landmarks, California Points of Historical Interest shall mean buildings, sites, and places with statewide historical significance officially designated by the Director of California State Parks.

Certificate of Approval shall mean a discretionary permit that may be granted by the Historic Advisory Board for alterations to a Historical Monument or Contributor to a Historic District.

Certified Arborist shall mean an arborist who is registered with the International Society of Arboriculture, including Board Certified Master Arborist and Certified Arborist, as well as Registered Consulting Arborist as defined by the American Society of Consulting Arborists.

Character defining features shall mean ~~distinctive features, finishes and construction techniques or examples of craftsmanship that characterize an architectural style or historic property~~ physical features or elements of a historic resource that are significant to its historical, architectural, or cultural value. These include but are not limited to: architectural style, form, mass, materials.

craftsmanship, construction techniques, decorative details, and other visible features.

Contributor shall mean designated main and accessory buildings and other designated appurtenances within the boundaries of a Historic District that represent the qualities that give significance to the district, were constructed during the period of significance of the Historic District, and that have not lost their integrity due to irreversible alteration or demolition.

~~Demolition shall mean the removal within a five (5) year period of more than thirty (30%) percent of the value of any designated structure or building, as determined by the Building Official.~~ Demolition shall mean a major alteration that includes the removal or enclosure of 100% of the surface area of the front elevation, 25% or more of the combined surface area of all exterior walls, or 50% of the roof closest to the public right of way. Relocation of a building or other resource to a new location within the site or at another site shall be deemed a demolition. (Note: Staff recommends revisiting the definitions of Alteration and Demolition as part of clarifying or determining the types of alterations subject to a Certificate of Approval by the HAB or staff. This discussion will occur in subsequent HAB meetings.)

Demolition by Neglect shall mean the act of allowing a structure to fall into such a state of disrepair as it becomes necessary to demolish it to protect the health and safety of the public.

DPR 523 Forms shall mean a series of forms, distributed by the California Office of Historic Preservation, used for recording and evaluating resources and for nominating historic resources.

Economic Hardship shall mean significant potential financial loss caused by incurring the costs necessary to maintain and preserve a Landmark, a Contributor to a Historic District, or a Historic Resource.

Heritage Area shall mean honorary recognition by the Historical Advisory Board of a section of the city that is architecturally or historically unified, a program authorized by the City Council June, 1986.

Historic District shall mean a geographically defined area designated by the City of Alameda that has a significant concentration or continuity of sites, hardscapes, signs, landscapes, or structures unified historically, culturally, or architecturally.

Historic Resource shall mean a broad group of structures and sites that includes locally designated Landmarks and Historic Districts, properties listed, or eligible for listing, on the National Register of Historic Places or the California Register of

Proposed Amendments to AMC Section 13-21 Historic Preservation Ordinance
Draft as of February 4, 2021

Historical Resources, properties that are eligible to be designated as a Historical Landmark, and properties that are included in the City of Alameda Historical-Cultural Resources Inventory.

Historical Advisory Board Fund shall mean all fines, fees, or other monies arising out of the administration of this ordinance as established by Sec.2-11.8.

Historic Resources Inventory shall mean the adopted City of Alameda list of Historic Resources. Portions of this inventory were formerly called the Historic Building Study List.

Historical Monument shall mean any site, including significant trees or other plant life located thereon, ~~building~~ structure, portion of a structure, or group of structures of particular historical al and cultural significance to the City, such as historic structures or sites in which the broad cultural, political, economic or social history of the Nation, State or community is reflected or exemplified, or which are identified with historic personages or with important events in the main currents of national, State or local history, or which embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, type or method of construction, or a notable work of a master builder, designer or architect.

~~Historical Building Study List shall mean that list of structures that are contained in the document titled Architectural and Historical Resources of the City of Alameda, dated and filed with the City Clerk. (Note: see Historic Resources Inventory definition)~~

Interim Stabilization Plan shall mean a plan provided by an owner to preserve a neglected or damaged building until a final building permit is approved by the city.

Imminently Hazardous Structure shall mean a structure or portion thereof that is in a condition of structural weakness or that is an immediate danger to life, health, or safety of the public or property. Such hazard is so imminent that the risks require summary or immediate action to avoid serious harm.

Integrity shall mean the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance.

National Register of Historic Places shall mean the Nation's official list of historical and cultural resources. Properties on the Register include districts, sites, buildings, buildings, and objects that are significant in American architecture, archeology, culture, engineering, and history. The National Register is administered by the National Park Service, part of the United States Department of the Interior.

Non-contributor shall mean a part of a structure or feature of a Historic District that is not representative of the qualities that give significance to the district.

Removal shall mean the relocation of any structure or building from one location to another, as well as the removal of designated plaques, trees and plantings, and natural features. (Note: see Alteration definition)

Period of significance shall mean the dates that identify the period or periods of time when a historical or cultural resource attained the characteristics which qualify it for designation as a historic or cultural resource.

Pre-1942 Structure shall mean any structure completed before 1942. The date of completion as determined by the Building Official based on a review of building records or photographic or other physical evidence.

Preservation shall mean the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment.

Reconstruction shall mean the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation shall mean the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

Relocation shall mean moving any Historic Resource or a portion of a Historic Resource to a new site or to a different location on the same site.

Restoration shall mean the act or process of accurately depicting the form, features, and character of the property, based on documentary or physical evidence, as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.

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Secretary of the Interior's Standards for the Treatment of Historic Properties shall mean the standards provided by the U.S. Department of the Interior in the preservation of historic properties.

Substantial Adverse Change shall mean the physical demolition, destruction, relocation, or alteration of the Historic Resource of its immediate surroundings such that its significance would materially impaired.

~~Structural alteration shall mean removal or alteration of the original foundation or structural elements such as floors, staircases, beams, columns, trusses or load bearing brick or stone walls. This shall not include in-kind repair or replacement.~~

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13-21.3 – Duties of the Historical Advisory Board and Secretary to the Board

- a. Adopt rules and procedures for the transaction of its duties and business.
- b. Take all steps necessary to preserve Historical Monuments which are not in conflict with the health, safety and general welfare of the general public, or the powers and duties of the City, or its several boards, officers or departments. Such steps may include recommendation that civic and citizens' committees be created; recommendation that private funds for the acquisition or restoration of such monuments be established; and recommendations that such monuments be acquired by a governmental agency where private acquisition is not feasible.
- c. Review the ~~historical building study list~~ Historic Resources Inventory pursuant to criteria and procedures which shall be developed and adopted by the Board, and subject to the prior notification of the property owner. Any such revisions shall also be filed with the City Clerk.

d. Review and recommend to the Office of Historic Preservation any Alameda properties that should be nominated for the California Register, as California Points of Historic Interest, as California Historical Landmarks or for the National Register of Historic Places.

~~d-e.~~ Investigate and make recommendations to the City Council on the use of grants from Federal and State agencies, private foundations, or individuals, and any other funding mechanisms available to implement or carry out provisions of this chapter. including the expenditure of Historical Advisory Board funds.

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~~e-f.~~ Participate in, promote, and conduct public informational, educational, and interpretive programs which increase public awareness and appreciation of historical resources in the City, including such activities as recommending commendations for private historic preservation efforts, encouraging

commemorative plaques for Monuments and Contributors to Historic Districts, the designation of honorary heritage areas, and other education programs identified in the ~~Historic Preservation Element of the~~ General Plan.

f-g. Make any recommendation to the City Council in connection with the exercise of its powers and duties which it determines is necessary to implement or carry out the spirit and intent of this section, including but not limited to recommendations regarding:

1. The periodic update of the City's preservation program, inventory, standards, procedures, and criteria, including the establishment of a preservation incentive program.
2. The enforcement and penalties covered in this ordinance.
3. Any Alameda properties that should be nominated for the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, or the California Historical Landmarks.
4. Expenditure of Historical Advisory Board Funds, including:
 - a. Studies of structures, neighborhoods and districts, and
 - b. Grants for public and private historic preservation efforts.

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g-h. *Secretary to the Historical Advisory Board.* The Secretary to the Historical Advisory Board shall be appointed by the Planning Director. The Secretary shall, among other responsibilities:

1. Encourage and promote the preservation of historic landmarks, sites, and documents, and protect the interests of historic preservation through the direction and responsibilities delegated by the Historical Advisory Board;
2. Provide staff support to the Historical Advisory Board, including serving as secretary of the board and acting as liaison between the board and the public, City staff, and other historic preservation agencies;
3. Maintain an up-to-date historic resources inventory for the City of Alameda.
4. Promulgate administrative forms, policies, and procedures for the administration of this Article.

h-i. *Delegation of Powers.* The Historical Advisory Board may by resolution delegate

Proposed Amendments to AMC Section 13-21 Historic Preservation Ordinance
Draft as of February 4, 2021

its review powers on specific projects, or categories of projects, to the Secretary upon making the specific finding that such delegation is necessary to facilitate and streamline the review process, and after approving appropriate guidelines to be followed by the Secretary.

Notes:

Additional Duties:

- a. Review proposed alterations to resources listed on Historic Resources Inventory
- b. Issue of Certificates of Approval for alterations to resources on Historic Resources Inventory
- c. Review of proposed new construction in historic districts or neighborhoods