

To the Old North Davis Neighborhood Association Board:

The attached report on a possible designation of an Old North Davis Historic District is a technical review of the process, applicable city code, etc. intended to supply you and others who might be involved in the actual process with information necessary to consider whether & how to proceed with a nomination application and an outline of the technical tasks remaining to be done to put together an application.

It is not intended as a general “public information” or advocacy document; it is obviously too detailed for that.

I have additional copies of some of the pertinent NTHP booklets listed in the References, and hope to have them for you soon.

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**Report on Historic District Designation
For
Board of Directors
Old North Davis Neighborhood Association**

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Old North Davis Historic District Proposal

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Considerations for an Old North Davis Historic District Proposal

I. What is a “designated historic resource” under current code?

The City of Davis Historic Resources Code: (Chapter 40.23 & some sections of Chapter 8) is the applicable local law in Davis for historic resources.

A designated resource may be a building, site, structure, object or cultural landscape.

In Davis there are three classes of designated historic resources afforded protection under the ordinance: **Landmarks** (formerly “Outstanding Historic Resources”), **Merit Resources** (formerly “Historic Resources”), **Historic Districts** and their **Contributors**. Currently, Davis has no designated Historic District.

A **Historic District** is defined by a boundary. The resources within the boundary are identified in the designation documents as either “**Contributors**” or “**Non-Contributors.**” Historic District Contributors” possess sufficient integrity¹ to add to the historic architectural qualities, historic associations or patterns for which an Historic District is significant. “Historic District Non-Contributors” are identified as not adding the District’s significance. Usually, the identification is a result of a *Cultural Resource Survey* made by an expert in the field. The Majority of structures must ordinarily be “contributors” for the area to qualify as a historic district.

All Designated Resources (**Landmarks, Merit Resources and Historic Districts**) are officially listed on the “Davis Register of Historical Resources”:

“These resources meet the definition of a historical resource under CEQA. Any alteration to these resources shall comply with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.”

CEQA is the California Environmental Quality Act, under which *potentially significant impact* caused by a project to a **locally designated** (as well as a state or nationally listed) historic resource constitutes an **environmental impact**. Before the city can consider such a project, either the applicant would need to modify it to lesson the impact to less than significant, or an Environmental Impact Report would need to be prepared. “Potentially significant” projects are generally alterations that do not comply with *The Secretary of Interior’s Standards* (see below).

“The Secretary of the Interior’s Standards for the Treatment of Historic Properties” are the federal standards governing alteration of historic buildings. Chapter 40.23 of the City of Davis code (quoted above), adopts *The Standards* as applying in Davis to the city’s three types of locally designated resources. As such, *The Standards* govern the HRMC’s deliberations for an application for Certificate of Appropriateness to alter a designated historic resource, including all alterations within a designated historic district’s boundaries. Compliance with *The Standards* is the principal mitigation by which a project’s impact to a historic resource may be reduced to insignificance under CEQA.

¹ See Note 2 below, and References.

When a district is designated, a District Management Plan (see below) is adopted. The District Plan describes the level of review for projects within the district boundaries, including streetscape and alterations to non-contributors. Alterations to Contributors are reviewed using *The Standards*, as are alterations to individually designated Merit and Landmark resources located within the District boundaries.

In addition, construction activities within 300 feet of any designated resource (including within 300 feet of the boundaries of a designated historic district) require an historic impact assessment. The assessment is first done by city staff in consultation with the HRMC chair. Most, but not all, of these projects are forwarded to the Commission for advisory review

Old North Davis as defined for the ONDN Association boundaries currently includes five Merit Resources, all residences, (602 & 648 D St., 616 E St., 513 & 619 F St). Three Landmarks and a Merit Resource are located adjacent to the neighborhood: the Anderson-Hamel House at Seventh & F Streets, the Community Church and Hattie Weber Museum (MR) on C Street, and City Hall.

II. Cultural Resource Surveys

As a part of qualifying for Certified Local Government status (CLG; a National Park Service program which qualifies the City to carry out the purposes of the National Historic Preservation Act), the City has performed a series of “Cultural Resource Surveys”, which are essentially inventories of the city’s historic resources, mostly structures. The surveys are carried out by expert consultants and city staff using criteria of *significance* and *integrity*² developed by the National Park Service and used by the California State Department of Parks & Recreation (DPR).

The 2003 Cultural Resources Survey includes a DPR “District Record” form for a potential “Old North Davis Historic District” that, in the opinion of the consultant, would qualify for nomination as a Historic District. The form identifies the area and boundary of a proposed Old North Davis district, a history and description of the district’s features and its significance as a whole. This District Record would provide the main part of an application for local, i.e. City of Davis designation of an Old North Davis Historic District.

The Resource Survey also includes a series of individual “Primary Record” DPR forms, one for each potentially historic structure or site in the City (primarily the downtown and three “traditional neighborhoods that were considered *potential* Historic Districts.) These individual forms identify whether a structure or feature is a designated resource already (Landmark or Merit Resource), whether it is a possible candidate for individual designation (locally, or eligible for State or National

² A historic property is *significant* either individually, or as contributing element in a historic district, if it meets one or more of the criteria 1) association with events that have made a significant contribution to broad patterns of local or regional history; 2) association with the lives of persons important to local, California or national history; 3) embodies the distinctive characteristics of a type, period or region; 4) had potential to yield information important to prehistory or history.

Integrity is a technical term defined by the National Park Service (for evaluating nominations for the National Register) as consisting of the seven elements *location, design, setting, materials, workmanship, feeling and association*. The definitions of the element terms can be found in *National Register Bulletins*. (See *References*)

listing), and whether the structure contributes to the historic significance of a *potential* **Historic District** (“Contributor”) or not (Non-Contributor)³.

Note that identification in the Survey as a *potential* “Contributor” to a historic district *does not constitute designation as a “Historic Resource”* for purposes of the city code. A potential “Contributor” *only becomes listed on the City of Davis Register* as part of a designated resource (the District) *as a result of designation of the Historic District* in which it is located.

Without Historic District designation, “Contributors” have little protection compared to the code requirements afforded Landmarks and Merit Resources. (See “Demolition” below”).

According to the expert opinion of the 2003 Resource Survey consultant, **Old North Davis is the only one of the city’s traditional neighborhoods (including downtown) that still has (as of 2003) the “right stuff” for designation as a Historic District.** If an Old North Historic District doesn’t become a reality, Davis will probably not have any Historic District for the foreseeable future, and possibly never.

III. Protection of potential Historic Districts & Contributors under current code

A. Demolition:

In City Code “demolition” means not only demolition in the usual sense, but also the permanent or temporary removal of more than 25% of the perimeter walls, or the removal or relocation (moving) the structure, or in the case of a *designated historical resource*, “an act or failure to act (“demolition by neglect”) that destroys, removes, or **relocates**, in whole or part a historic resource such that its historic character and significance is materially altered.”

In Davis, demolition (including relocating) of *any structure built in or prior to 1945* requires a review to determine if the structure has potential to be designated a historical resource. If it is deemed to have potential, a historical report is required. The HRMC reviews the report and recommends to the City Council whether the property should be designated. If the structure becomes designated by the Council, only then does it come under the Historic Resources portion of the code.

Note that a resource may be designated a Landmark, Merit Resource or District even if built after 1945 if it meets other criteria of significance. In the Resource Survey, the proposed Old North Historic District period of significance is 1910-1950; thus Contributors (or higher levels of designation) would not necessarily have to have been built in or before 1945.

However, currently **a structure built in or before 1945 must reach at least the level of potential Merit Resource and actually be designated** in order to prevent demolition (including relocation) under the code. If after the mandatory review, “the building is not designated a historic resource” (e.g. a structure is merely a *potential contributor* to a possible historic district, but there is *not yet*

³ In the 2003 Survey, Non-contributor forms were completed for the potential Old North District (as defined in the District Primary Record.)

such a district), after all discretionary approvals (such as design review) for the replacement project are complete, “***a demolition permit shall be issued.***” (Ch. 8.19.040.2)⁴

Therefore, in the absence of a designated Historic District, neither Contributors nor non-contributors in the traditional neighborhoods are protected from demolition under current City code.

B. “Conservation District”

Historic resource designation is in addition to, and does not replace or supersede the conventional zoning regulations, which still apply.

However, Old North (by the Association’s definition) is included in the **Adopted Conservation Overlay District**, along with the “Old Downtown” and the other “traditional neighborhoods”, University-Rice, B Street, and Old East Davis. “Overlay” means that within the conservation overlay additional policies and standards apply in addition to the regular underlying zoning, Core Area Specific Plan, General Plan, etc.

The Conservation Overlay District is ***not a Historic District or a designated historic resource***. It is an area in which planning policy is intended to assure that new development and renovation of existing buildings will “respect” the traditional scale and character of the area.

The **Design Guidelines** for the Conservation Overlay District are the principal “tool” for achieving the policy of the Conservation Overlay District. The Guidelines are more subjective and less stringent than the criteria applied to designated resources (Landmarks and Merit Resources), but do provide some protection for traditional neighborhoods during new construction and alteration projects. The massing & scale requirements of the Design Guidelines can prevent the more egregious cases of oversize replacement or infill (“MacMansions”) or “pop-tops” (multi-story additions) characterizing “teardown syndrome” in many traditional neighborhoods.

C. Summary of Protection afforded “District Contributors”:

Currently, since there are no designated Historic Districts, ***hence no formally identified “Contributors”***, application of the **Design Guidelines** (in the Conservation Overlay District) and **Demolition** code (if built in or before 1945) is the only protection afforded potential “Contributor” structures, or a traditional neighborhood as whole. However, as noted above, the demolition code provides no protection to potential Contributors unless they are of sufficient importance to be given at least Merit Resource status by the Council even if the owner objects to designation.

Further, as we have seen in practice, the Design Guidelines afford minimal protection against some kinds of unsuitable alteration of individual potential contributing structures in the traditional neighborhoods. Consequently, individual non-designated resources in the neighborhood could be “picked off” one by one either by alteration or additions out of character such that the structure no

⁴ City code does require the owner of a designated historic resource to basic maintenance such that the structural integrity and significant features are not impaired. This is to prevent “demolition by neglect.”

longer is a potential Contributor to a possible District, or by outright demolition and replacement by non-contributing new construction.

We have seen that replacement structures and remodeling **can meet all the current applicable zoning and Design Guideline requirements**, but still result in the loss of a potential “Contributing” structure. New infill construction meeting the Guidelines may not detract from the potential District, but it doesn’t contribute. If the cumulative result of multiple remodelings out of character or replacement projects were to remove the majority of the potential “Contributor” structures, a District designation would probably become impossible.

IV. District Designation Process (Sec. 40.23.0707 b-k)

The process (nomination) may be initiated by the Historic Resources Management Commission (HRMC), any Davis resident, or by any property owner proposed for designation. Presumably the latter could mean a group of property owners, in which case probably the members of the Old North Board as a group of individuals could make the nomination/application, or possibly the Board could petition/request the HRMC to make the application itself.

The application for district designation must include:

1. The most recent DPR Survey forms (the 2003 Resource Survey)
2. Current and historical photos of the resources (as available)
3. Current owner & parcel number for all properties
4. List of proposed contributors & non-contributors
5. Map identifying the items in (4), and the district boundary
6. District Management Plan.

The HRMC schedules a public hearing (properly noticed) within 45 days of filing of the *complete* application (i.e. with all the above parts) with Public Works, and publishes and transmits to all interested parties a list of the proposed designations. At the HRMC hearing, the proposed District Management Plan is approved and the HRMC decides whether to recommend that the City Council approve the application for District designation.

While the public hearings are pending (or an appeal to the Council on the designation), there will be a *stay of work*. That moratorium will apply to any work that would require a HRMC Certificate of Appropriateness or a Demolition Certificate if the “improvement were already located in an historic district.” (It may be anticipated that once it becomes known that a district application is being prepared, there will be a number of applications for alterations, additions and possibly demolitions from owners trying to get projects going before the stay of work goes into effect.)

If the HRMC recommends designation, the application goes to the City Council for final decision, in accord with the usual Council hearing & notification process.

A vote or approval of the concerned property owners is not required for a historic resource designation, and failure of any property owner(s) to receive the notices doesn't affect the validity of a designation. However, subsequent to the initial group of designations, privately owned potential resources have not been proposed for designation if the owner is known to object. It would be unwise to initiate a District designation process without strong support of a number of the owners, as well as general public interest and support.

V. What Should an Old North Davis Historic District include?

Neither a party proposing an application for Historic District designation nor the Neighborhood Association is under any obligation to accept the Survey or the City's boundary proposals. A new boundary can be proposed.

The 2003 Resource Survey, which would form the basics of the application documentation, proposed an Old North District that is not the same as the boundary used for the Old North Davis Neighborhood Association. Notably, the proposed district omits both sides of the 500 Block of G Street and includes only the west side of the 600 Block of G Street.

The structures of the 500 G block were not included in the 2003 Resource Survey or the list of potential contributors. The rationale for the omission was probably that the block is zoned mixed use & commercial, and many of the residences have been adapted for offices. However, most of the residential structures are traditional "revival" style homes built in the 1930s-40s within the proposed district period of significance similar to others in Old North, with a similar streetscape and an alley like the 600 blocks (the Bowers Addition), so that the exclusion of this block from a historic standpoint is inconsistent, and the neighborhood regards it as part of "Old North".

Both the Conservation Overlay District and the 2003 Resource Survey proposed "Old North" District also omit the Seventh Street face blocks on the north side of the street, which are zoned multi-family residential. This omission is somewhat difficult to justify from a historic standpoint for the following reasons:

1. The National Register criteria for historic residential neighborhoods include "residential neighborhoods that through historic events and associations have achieved a cohesive identity", or "groups of contiguous residential subdivisions that are historically interrelated by design, planning, or historic association."⁵ The Bowers Addition & Bowers Acres subdivisions arguably meet these criteria.
2. Bowers Acres, the lots on the north side of Seventh Street were laid out shortly after the "Bowers Addition" (the 600 blocks of Old North). These parcels were large narrow parcels extending north, intended as an upscale "gentleman farmer" subdivision. The Bowers Acres

⁵ NPS, *Historic Residential Suburbs: Guidelines for Evaluation and Documentation for the National Register of Historic Places*.

subdivision had the same developer as Bowers Acres. While many of the lots were bought by speculators and held for years without development, others were among the earliest residences along with Bowers Addition development in the period 1913-1920. Examples were 721 Seventh, built circa 1914-15 (Richard Chiles House) and 717 Seventh (Doyle House), probably the first house built in Bowers Acres, in 1913, the same year as a number of the earliest houses built in the Bowers Addition.

3. The Bowers Acres blocks of Seventh Street currently contain the Landmark Anderson-Hamel Victorian (built 1906, moved from downtown in 1949) and a number of other traditional style homes from the proposed District period of significance: a home at 301 Seventh with a landmark tree and early outbuildings, with evidence of street front curbing pre-dating the current street infrastructure (the 700 block has similar early evidence) and a number of European/English revival styles with notable landscaping, mature trees, etc., plus the Asbil Court cottage group. All of the eligible structures are in at most three contiguous groups between C and G streets, and could be readily included in an Old North District. By period and style these homes are obviously part of "Old North Davis", and belong in a Historic District if the usual criteria were employed. (They also arguably ought to be included in the Neighborhood Association.)

4. The usual boundary selection of Historic Districts uses the back lot line of a face block of parcels; it is unusual to run a boundary along the center line of a street unless the two sides of the street are clearly of different character by multiple criteria such as period of development, style, land use in the period of significance, integrity, etc. This is clearly not the case for the Bowers Acres side of Seventh Street.⁶

Special versions of the DPA resource survey forms are available for other features which may be individually included, such as the Old North sidewalks (a "linear feature") or the Lyda Williams Memorial Garden, the city pump station site ("Well No. 1"), the alleys, outstanding trees (especially those in the streetside planting strips), and any other special features that might be included as significant features of the District.

If desired, additional individual structures or features might be simultaneously nominated for Merit Resource or even Landmark designation. (A more extensive DPR form would be required for each of these.)

⁶ The Conservation District northern boundary was drawn to coincide with the 1917 city limits. However, the Bowers Acres subdivision, as mentioned above, dates from the same era as the Bowers Addition, and oldest homes built on the north side of Seventh Street are pre-1917, coincident with the first development in the Bowers Addition.

VI. The Status of the required Designation Application Documentation

1. The most recent DPR Survey forms (the 2003 Resource Survey):

- a. The 2003 District record, including the historical survey and description, needs revision to cover the 500 Block of G Street and the north side of Seventh Street properties if they are to be included in the district.
- b. Individual forms for the latter areas and for other important features (such as particular trees, the Lyda Williams Park, the sidewalks and/or sidewalk markings) would have to be prepared, including evaluation as contributing or non-contributing, descriptions, brief history, year of construction, photos, current ownership and parcel numbers. (Much of the basic work for the sidewalk & marking forms is already done.)
- c. The rest of the 2003 survey forms would need to be reviewed for errors and changes in status of individual structures.
- d. The representative styles section of the District form needs expansion with descriptions – currently lacking – of the architectural styles in addition to the photos of examples.

2. Current and historical photos of the resources (as available)

Current photographs for some individual resources need updating. Current photos of some structures and general streetscapes are probably available from neighborhood residents. Historical photos are similarly available, primarily from the files of the Hattie Weber Museum and from John Lofland's collection for his books.

3. Current owner & parcel number for all properties

The 2003 Survey forms contain most of this information; updates & correction may be needed. The 500 G Block and Seventh Street blocks would need to be added.

4. List of proposed contributors & non-contributors – Revise after doing 1-3 above.

5. Map identifying (4) and district boundary – Revise to include additional areas.

6. District Management Plan – This is the main block of technical work to be done.

The purpose of the Historic District Plan is to *“provide standards for review within that particular district to ensure that new development, renovation, and rehabilitation are compatible and complementary to the prevalent character defining features, architectural style, historic context, and design elements within the Historic District.”* (40.23.060 f 2).

Typically, the description of significant features of architectural styles or of individual contributing structures are more detailed in a District Plan than the current Conservation Overlay Design Guidelines. A common more detailed guideline or criteria is one governing window and exterior door replacements. Since these are usually among the important

defining characteristics of a historic structure, unsuitable modern replacements fail to comply with *The Secretary of Interior's Standards* and thus can so alter the appearance of the structure that it would cease to contribute to the character of the District.

Suitable materials for siding and roofs, as well as suitable signage, fencing, etc. may be described in the District Plan Guidelines, depending on the significant and defining features of the District, along with any other information to guide in appropriate restoration or renovation activities and serve as a baseline for design review by staff and the HRMC. Unsuitable materials and alterations may also be specified.

The District Plan may include “thresholds of significance”—guidelines to assist a reviewing body such as the HRMC determine when an alteration of a resource feature reaches a level of significance such that it constitutes a significant impact on the resource.

The guidelines of the District Plan could also be used for the informational review of projects by the ONDNA. Typically, they would be supplied to applicants, architects, real estate agents, and others proposing to do work in the District for guidance in developing projects.

According to code 40.23.070 (b), the district management plan is to be developed in conjunction with HRMC staff with public input, implying presumably a public workshop. The ONDNA could perhaps first develop a draft plan based on the Conservation District Design Guidelines and samples of District Plans from other Historic Districts, followed by a public workshop under the aegis of the HRMC and city staff. (The Plan would not be submitted with the District application; the application would remain “incomplete” and the “clock stopped” during development of the Plan.)

When finalized, the District Plan would be filed to complete the Application. The public hearing before the HRMC will then be scheduled within 45 days of submission of the completed application. The HRMC hearing will review both the Plan and the application for designation.

If the HRMC approves the District Plan and recommends district designation, the application goes to the City Council for final approval by ordinance at a public hearing.

Upon Council approval, the District, with its **contributing** features/structures, becomes a **City designated historical resource** (“locally listed” for the purposes of CEQA), and comes under the provisions of Code 40.23, the same as Landmarks and Merit Resources, including application of *The Secretary of Interior Standards* for Contributors, or demolition review by the HRMC, in addition to the District specific guidelines and requirements of the District Plan, applied to projects within the District.

VII The “Political” Task

Much of what is described above is “technical” and can be accomplished by knowledgeable volunteers assisted by city staff and consultants hired by the city, if any. However, successful designation of the Old North neighborhood as a Historic District will require an ordinance by the

City Council, so that the cooperation of the neighborhood residents, especially owners, as well as support from the general public will be needed.

As noted previously, although technically city code does not stipulate the consent of the owner for designation of a property or of any particular number of owners for a district designation, it is currently doubtful whether a designation would be approved if there is considerable owner objection . It can therefore be expected that if a majority or even a highly vocal minority of district property owners, especially businesses or owners of multiple properties actively oppose district designation, a district designation recommendation by the HRMC might not be ratified by the Council.

Also, since a Historic District is a designated resource for the purposes of CEQA and city code, projects on **properties within 300 feet of the District boundaries** will require review for impact on the District. While it is probable that often the preliminary review would in reality result in an administrative (staff) approval of a project because the impact is adjudged insignificant, the interests and concerns of property owners within 300 feet of the proposed district boundaries should be addressed by the District proponents early in the campaign. (These would include properties south of Fifth Street, the G Street Mall, Eighth Street – Sweet Briar areas, and the school district property between C & B streets.)

The necessary neighborhood, adjacent owners, and general public support for district designation will need to be developed by district supporters skilled in public relations and advocacy, educating the neighborhood about the benefits of designation, countering the usual objections and myths, etc.

This is probably best done simultaneously with the technical work, before the application is filed or completed. Review of the DPA Historic Resource “Primary Record” forms for individual structures, especially the contributing or non-contributing status of each individual resource, should include input from the property owners & residents for errors in descriptions, dates etc. Development of the District Plan requires public input, probably in the form of one or more workshops similar to the Conservation District Design guidelines.

VIII. Some Advantages of District Designation

Historic preservation, renovation and adaptive reuse of historic resources, *including formation of one or more Historic Districts* are policy goals of the **City of Davis General Plan**.⁷

Historic Districts have been shown to typically enhance resident ownership, pride of ownership, and increased property values through more careful maintenance, restoration and renovation projects. Well-designed additions and infill result from a good District Plan and design guidelines that preserve the desirable aesthetic characteristics of the neighborhood.

⁷ **Davis General Plan, Chapter 16. Historic and Archaeological Resources:**

GOAL HIS 1. Designate, preserve and protect the archaeological and historic resources within the Davis community.

Policy HIS 1.1 -- Actions

b. Establish .. historic districts where significant numbers of .. historic resources are grouped together. Areas to consider for such districts include, but are not limited to ... Bowers' Addition...

The appeal of pedestrian friendly streetscapes of historic neighborhoods in proximity to downtowns and other services, with their attractive traditional home styles, has increased in recent years, as evidenced by a boom in publications such as “American Bungalow” magazine, as well as contractors and suppliers of traditional building materials, furnishings, etc., catering especially to bungalows and the various traditional revival styles. Traditional homes often have such amenities as fireplace nooks, built-in cabinets, window seats, and other decorative woodwork. Features such as front porches promote neighborly interaction. Modest-sized traditional style homes appeal to empty nesters, singles, and young families and many others who find the expensive MacMansions crowded together in new suburbs wasteful & unappealing.

Historic districts usually have mature landscapes, especially tree canopy and larger attractive yards. In California this allows for construction of “in-law” accessory structures. Old North is currently zoned R2, so a fully equipped second unit is also possible due to the large back yards.

Historic home districts provide for comprehensive “recycling” of the resources represented by the materials in the homes, which otherwise are often simply discarded, as well as other non-renewable resources expended in constructing the homes and infrastructure in the first place.

Historic Districts of all types typically add to a city’s attraction for “heritage tourism,” as well as supplying historical educational & cultural opportunities for the city’s residents and promoting neighborhood cohesiveness through associations, newsletters, home & walking tours, etc.

IX Common Objections & Misconceptions

“I won’t be able to expand or remodel my house”:

Exterior remodeling will be governed by the District Plan as well as current zoning and the Conservation Overlay Design Guidelines, neither of which currently impede well designed projects.

The new District Plan Guidelines will primarily address exterior styles, materials, massing, and setting in more detail than the current Guidelines. None of the applicable guidelines affect interior remodeling that does not alter fenestration (window and door placement) or otherwise significantly affect the exterior appearance of the structure. Additions and remodeling of the exterior that are judged inconspicuous from public spaces (e.g. at the rear) would usually not be much affected by the additional District Plan guidelines for the majority of homes in Old North .

Many of the remodeling and addition projects already carried out or underway in Old North on “potential Contributors” since the 2003 Resource Survey, including those requiring an HRMC review due to proximity to a designated resource, would easily comply with any expected District Plan guidelines, as well as *The Standards*. Well designed additions and creative remodeling projects using quality materials and construction methods should encounter no additional difficulty, and are actually encouraged by City policy.

“I won’t be able to add an ‘In-law Cottage” or Second Unit on my lot”:

Current zoning and building code will continue to apply after District designation.

California Law provides for construction of In-law Cottages (“granny flats” or accessory structures) in all residential districts, subject to the existing regulations. In Old North, In-law Cottages will continue to be possible owing to the large rear yards of most homes.

Old North is currently zoned R-2 CD (Mixed Use on G Street north of 6th, and MU or Central Commercial on G south of 6th), and infill is a City policy. The recently updated R-2 CD zoning code allows parking exceptions for in-law structures that are not applicable to duplexes. In that way, the zoning code actually facilitates that development of in-law units preferentially over duplexes. Second Units will continue to be possible, if not actually facilitated by the size of rear yards. Since most will be to the rear of the historic structure and inconspicuous from the street, Second Unit design and adaptive reuse or mixed would continue to be principally governed by the existing zoning and building codes, including the current Design Guidelines.

The additional design guidelines & review will be expensive and onerous:

Old North Davis neighborhood is already included in the Conservation District, so that many architects and owners are already familiar with the Design Guidelines and other operative controls on development in Davis. Under Historic District Plan guidelines, alteration of Contributors would be governed by similar considerations to those that now apply to Merit Resources and Landmarks.

However, application of the District Plan guidelines would probably mainly apply to exterior features visible to the public, since the goal is to maintain the structure’s “contribution” to the setting and character of the neighborhood, which is what attracts residents in the first place, enhances property value, and is a principal incentive to renovate and remain in the neighborhood. The additional review process may incur some minor increase of planning fees.

Also, the California State Historic Building code provides for alternative ways to accomplish health and safety requirements when altering a designated historic resources, to facilitate preservation of important characteristics of the resource, or solve problems encountered in bringing older construction methods closer to code requirements for new buildings and additions. Some tax relief programs that could be implemented by the City, such as the Mills Act, are applicable to owner occupied historic residences.

“I don’t want my ordinary old house put on the National Register or made into a Landmark”:

Local (City) listing as a Historic District doesn’t accomplish listing on the *National Register of Historic Places*. That is a separate process, usually initiated by the property owner, especially for residences, and owner consent is required.

The character of the Old North neighborhood that makes it eligible for local District listing and attractive to most residents is that it is a largely intact neighborhood of “ordinary old

houses” (i.e. middle class 1910-50 homes) of differing styles, that many people find charming, attractive and desirable.

Those houses in Old North that were built out of the District period of significance (tentatively 1910-50), or are otherwise considered not to contribute (“non-contributors”) to a historic district will be little more affected by District designation than under the current zonings and Design Guidelines.

“My property will decrease in value, or I won’t be able to sell it”:

Experience in other Historic Districts indicates to the contrary: property values usually increase and there is an active market for homes of traditional styles, especially those restored or sensitively remodeled according to the usual standards established for historic districts. In Old North, the market for renovated traditional style homes bears out this trend.

Even the value of well maintained non-contributing properties is also often enhanced by their setting in an attractive traditional neighborhood Historic District.

X Recommendations

1. Start inviting the north side of Seventh Street to attend ONDNA meetings. Hold an Old North Board hearing to consider formally changing the Association boundary to include the north side of Seventh Street between C and G streets.
 2. ON Board members & interested parties review/study the preceding Report, the 2003 Historic Resource Survey proposed Old North District documents, the applicable Conservation District Guidelines, and selected NTHP booklets on District formation, design review & neighborhood architectural styles.
 3. At a general ON Board meeting after (2) has been done:
 - a. Appoint a subcommittee to draw up the recommended change in historic district boundary and develop a list of parcels & addresses that might be added to the 2003 proposal (e.g., include 500 block of G street and/or all or part(s) of Seventh street between C and G Streets.)
 - b. Discuss a tentative list of features (such as sidewalks, Lyda Williams Garden, important trees, etc.) that might be included as separate resources that would need to have DPR Survey forms prepared.
 - c. Appoint a subcommittee (and solicit volunteers from other interested parties outside of Old North) to begin the **public relations effort to support designation** (table at Public Market, op-eds in the Enterprise, exhibit at Hattie Weber Museum, mailings, are possible means for addressing probable concerns, advantages of designation, etc.)
 4. ON Board hold an ON Association Special Meeting to discuss whether to proceed with the nomination application and determine what boundaries to propose . This meeting ought to have plenty of advance notice, possibly in the Enterprise and mailed. The Seventh street area should be included in the notice, and other neighborhoods and interested parties should be invited to attend.
 5. Have the sub-committee (3a. above) finalize the modifications to the 2003 proposal boundaries if needed as a result of the public meeting (4), and the list of additional DPA forms needed.
 6. At the next regular ONDNA meeting, introduce a motion of the Board to send a letter (accompanied with the modified Draft documentation) requesting the Historic Resources Management Commission to file an application (**i.e. the HRMC would be the applicant; this is permitted under Code**) to designate an Old North Davis Historic District **using the decided upon boundaries.**
- After receipt of the ON letter, the HRMC would agendize a public hearing to decide whether the HRMC will become the applicant. As noted above, the application would then be filed in an incomplete state, particularly because the District Management Plan would have to be developed as described above. The HRMC and staff would then be responsible for completing the application (with public input).
7. If the HRMC does decide to become the Applicant, ONDNA should solicit and coordinate volunteers from ON and the general historic interest community to assist HRMC Staff in the

technical completion of the nomination application forms (complete additional survey forms, round up photos, revise history, etc.), muster participation in the District Plan preparation workshop(s) and hearings. Old North and other volunteers would also be needed for the **“political”** tasks of generally publicizing and advocating for designation, covering the general benefits expected from having a Historic District (heritage tourism; fulfilling objectives of the General Plan, Main Street Program, Certified Local Government; increased property values and community spirit, etc.) and addressing concerns, myths and objections.

Why ask the HRMC to file the application?

The HRMC has a duty to promote Historic Resources; most previous Landmarks and major Merit Resources have been proposed for nomination by the City itself. There have been no designations since the late 1990’s, and most designations were in the 1980’s, despite the fact that a number of additional structures in the 2003 Survey are individually eligible. As mentioned above, establishing a historic district is a goal in the Davis General Plan, the ultimate guiding city document under CEQA.

Because Old North will probably be the only Historic District in Davis, there is arguably a general public interest in District Designation, and it should be supported by others interested in historic resources besides Old North residents. District designation should become a Davis project, not just a neighborhood one, since the community in general will benefit.

Note that the city Historic Resources code provides only for applications to be initiated by the HRMC or individual Davis residents; there is no provision for a Group such as ONDNA as a “body”, just as individual private citizens. ONDNA also has no legal standing to do so as a “Body.” The ON Board can only petition the HRMC on behalf of the association membership or as individual city residents. Having the HRMC as applicant would go far to remove the possible interpretation of designation as the “private project” of a few people, trying to impose their views on the whole neighborhood.

What might be drawbacks of the HRMC filing the application instead of a group of individual citizens?

While the HRMC would be responding to a request by a group of citizens, ultimately whether to proceed, and the final contents of the application (such as the boundary of the proposed District), would rest with the HRMC, and the HRMC could modify aspects of the application or go back to the 2003 proposed documents.

However, the contents of the application, including the boundaries and included features would be subject to revision during public hearings in any case, so nothing would be lost by ONDNA proposing & supporting a different configuration in their request to the HRMC.

XI Some useful References

Note: NTHP = National Trust for Historic Preservation

American Bungalow magazine. (The Food CO-OP newsstand carries it). Magazine catering to bungalow (loosely interpreted) restoration, rehab and “living”. Articles on individual restorations, historic districts and neighborhoods. Nationwide real estate listings of historic homes, although concentration is central, eastern & southern regions and tend to larger properties; the size of homes covered in articles ranges across the bungalow spectrum. Book reviews & listings. Calendar of events. (Neighborhoods with a regular newsletter can sign up for a free subscription.)

Beasley, *Design and Development: Infill Housing compatible with Historic Neighborhoods*
National Trust for Historic Preservation (NTHP) Historic Preservation Information Booklet Series.

City of Davis municipal code: Chapters 8.19 (Buildings; Demolitions) and 40.23 (Historic Resources Management). City web site
<http://www.city.davis.ca.us/cmo/citycode/>
<http://www.city.davis.ca.us/cmo/citycode/chapter.cfm?chapter=18>
<http://www.city.davis.ca.us/cmo/citycode/chapter.cfm?chapter=40>

City of Davis Register of Historical Resources (The Davis Register). Copies of the full paper version include the DPR forms for all the resources for the 1996 and 2003 Resource Survey. The basic listing of resources with addresses and designation ordinance number is available on the Web at:
<http://www.davishistoricalsociety.org/4-davis-historic-preservation-resources>

Cassity, *Maintaining Community Character: How to Establish a Local Historic District*.
NTHP – National Trust Publication.
Includes advice on political aspects of obtaining public support, discussion of common objections raised, etc. (Covers some aspects such as establishing the basic city ordinances that have already been done in Davis.)

Cox, *Design Review in Historic Districts*. (NTHP) – National Trust Publication.

Fine & Lindberg, *Protecting America’s Historic Neighborhoods: Taming the Teardown Trend*
(NTHP) – National Trust Publication.
Countering the national trend affecting traditional neighborhoods of demolishing an older home and building a MacMansion on the lot.

Kendig, *Too Big, Boring, or Ugly: Planning and Design Tools to Combat Monotony, the Too-big House, and Teardowns*. American Planning Association Report Number 528. 2004

Lofland, John. *Old North Davis: Guide to Walking a Traditional Neighborhood*. Woodland: Yolo County Historical Society, 1999.

Lofland, John, editor/coordinator, *Davis History web sites*:
<http://www.oldnorthdavishistory.org> (Old North Davis History)

Includes a great deal of material, such as a map of infill and renovation in Old North, a history of zoning, photos of designated resources, the preliminary sidewalk designation proposal, etc.

Also helpful for more general Davis history:

<http://www.davishistoricalsociety.org> (Davis Historical Society)

Includes a Preservation section and history of preservation in Davis

<http://www.davishistoryresearch.org> (Davis History Research Group)

National Park Service, *How to Complete the National Register Registration Form*. 1997

Includes the criteria used also for historic resource survey at state & local levels for evaluation of historic resources and definitions of terms.

_____, *Historic Residential Suburbs: Guidelines for Evaluation and Documentation for the National Register of Historic Places*.

Includes types of house & styles typical of early suburban development.

Other NPS bulletins available at:

<http://www.cr.nps.gov/nr/publications/bulletins.htm>

NTHP, *Reviewing New Construction Projects in Historic Areas*. Information Series No. 62

Roland-Nawi Associates. (Roland, Carol), *2003 Conservation District Historic Resources Survey, City of Davis*.

For Old North:

“Old North Davis district form”, “Old North Appendix A” and individual forms for Contributing and non-contributing structures.

(The Central District context form also contains general historical information.) The Bibliography of the District Form is a useful reference for the standard works on the period architecture, bungalows, and Old North History.

The survey documents are incomplete and still being edited by city staff. They have been made available on CD Rom MSWord & PDF format to the ONDNA Board, along with a paper set of the individual forms. The photos used for the individual resource sheets are included in JPG format on the CD. The main documents of the survey relative to Old North are available on the Old North Davis History web site:

1.3. Draft Proposal to Make the Old North a Historic District

<http://www.oldnorthdavishistory.org/oldnorthasawhole>

Some of the individual structure resource survey forms are available on the above web site in the folders for individual Old North blocks.

Terrell, *Getting to Know Your 20th-Century Neighborhood*. NTHP Historic Preservation Information Booklet Series.

Descriptions of typical architectural styles such as bungalow & “minimal traditional.” Can serve as a basis for development of the district management plan guidelines for alterations.

Weeks, Kay D. and Anne E. Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings*. US Dept. of Interior, Washington DC. 1995

The federal standards for alteration of historic buildings; adopted by the City of Davis Historic Resources Ordinance.