



Office of the City Manager

MEMORANDUM

DATE: May 29, 2020

TO: Historical Resources Commission

FROM: Claudia C. Hanson, AICP, Planning Manager

SUBJECT: June 4 Historical Resources Commission Meeting

The agenda for the June 4, 2020 Historical Resources Commission contains five primary action items. This memo provides a brief description of the required process for each.

Item D. CHR20-00001 (Pioneer Theater-Auditorium) and Item E. CHR20-00002 (Washoe County Library) are requests to place the subject sites on the City of Reno Register of Historic Places.

The Historical Resources Commission is required by Reno Municipal Code to maintain, on behalf of the City of Reno, a register of historic resources and historic districts that possess integrity of location, design, setting, materials, workmanship, feeling and association, and meet one or more of the following criteria:

- (1) Listed on the National or State Register of Historic Places; or
- (2) Associated with events that have made a significant contribution to the broad patterns of local, county, state, or national history; or
- (3) Associated with the lives of persons who contributed significantly to the community, county, state or country; or
- (4) Embody the distinctive characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; or
- (5) Represent the work of a master builder, architect, landscape architect, artist, engineer or other design professional whose individual work has influenced the development of the community, county, state, or country; or
- (6) Embody elements of design, detailing, materials, or craftsmanship that render it architecturally significant; or
- (7) Represent a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; or
- (8) Have yielded, or there exists very strong evidence that the resource may be likely to yield, information important in Reno prehistory or history; or
- (9) Possess a significant concentration or continuity of areas of land use, landscape, buildings and structures, roads and water ways, and natural features, and/or heritage and cultural characteristics.

The findings of the historical resources commission will be filed with the City Clerk within seven days following the Historical Resources Commission's determination and is required to contain the following information:

- (1) Explanation of the significance or lack of significance of the nominated historic resource or district;
- (2) Explanation of the integrity or lack of integrity of the nominated historic resource or historic district;
- (3) The significant exterior architectural features of the nominated historic resource that should be protected;
- (4) The types of construction, alteration, demolition, and removal that should be reviewed for appropriateness pursuant to the provisions of this chapter;
- (5) Designation as an historic resource or as an historic district will or will not create an economic hardship upon the owner of the property to be designated as an historic resource, or upon an owner of property within an historic district to be designated. Consideration of the economic effects of designation shall be in accordance with the provisions of this chapter.

The City Council will review the recommendations concerning the nominations and either reject the recommendations or designate the historic resources. This Council action will be forwarded to the Planning Commission to process a zoning map amendment to add an historic overlay to the properties.

Item F - COA20-00005 (Mayberry Gardens – Window Replacement on Ancillary Structures) is a follow up application to COA20-00003 (Mayberry Gardens – Bunkhouse). The initial application, which included window replacement on the ancillary structures, was denied by the Historical Resources Commission at the February 28, 2020 meeting. The applicant has reapplied with clarification on the window materials and locations. Details are contained within the application.

Item G - COA20-00004 (Mayberry Gardens Lighting) is an application for the site lighting of the entire Mayberry Gardens site. Details are contained within the application, but the proposal includes the installation of 20 foot tall light poles throughout the site. As a comparison, the light poles located at Mayberry Landing are approximately 12-15 feet tall, with similar fixtures. The lighting proposal has been submitted in compliance with Condition 9 of the original Certificate of Appropriateness (COA18-00001 Mayberry Gardens) which reads as follows:

Condition 9 - Prior to the issuance of a building permit for any lighting on site, the applicant shall have approval of a Certificate of Appropriateness for the lighting details. Lighting details shall include lighting specifications, maximum height, compliance with dark skies standards, and a photometric plan showing no light spillover beyond the property lines. All lighting shall be installed prior to the issuance of the first certificate of occupancy of the new buildings.

Item H – An application has been submitted to the State Historic Preservation Office (SHPO) to nominate the Trinity Episcopal Cathedral to be added to the National Register of Historic Places. As a Certified Local Government, the HRC is required to prepare comments regarding this nomination which will be forwarded to the City Council for approval. Any approved comments will be forwarded to SHPO. Due to the unforeseeable delay of the HRC review of this application, the City of Reno has

obtained a time extension by SHPO for this review. The SHPO has provided the following overview and answers to frequently asked questions about the National Register of Historic Places:

Created in 1966 as a result of the National Historic Preservation Act (NHPA), the National Register of Historic Places (or NRHP) is the nation's official list of properties worthy of preservation. Since 1966, over 90,000 properties have been listed, recognizing a diverse array of historical, architectural, and archaeological resources around the United States.

1. Who lists a resource in the National Register? The National Register is managed by the National Park Service (NPS), who maintains all of the national standards for the identification and evaluation of resources for the program. Ultimately, it is the Keeper of the National Register, an office of the NPS, that lists properties in the National Register. However, the program receives a significant amount of support from state historic preservation offices, local governments, non-profit groups, and everyday citizens.

2. What types of properties are eligible for the National Register? The National Register can accept any building, structure, object, site, or district (a concentration of several buildings, structures, objects, and/or sites) that meets the eligibility requirements of the program. First, the resource should demonstrate significance to history, architecture, or archaeology in some way. The property should have gained that importance fifty years or more from the present. However, in addition to age and importance, the resource must also demonstrate strong historic integrity to the period in which it became important.

3. What are the benefits of listing a property in the National Register of Historic Places? For most owners of a property listed in the National Register in Nevada, the primary benefit is the prestige and notoriety gained from ownership of a resource important to local, state, or national history. Private owners of income-producing property may qualify for the Federal Historic Preservation Tax Incentive Program, an investment credit managed jointly by the National Park Service, the Internal Revenue Service, and state historic preservation offices. Public and non-profit owners in Nevada may qualify for federal grants managed by the NVSHPO, or the Commission for Cultural Centers and Historic Preservation (CCCHP) grant program, coordinated by the same office. Nevada also has an Open Space Assessment program, governed by NRS 361A, which allows county governments to zone certain properties as open space, reducing the property tax liability of the owner. Owners interested in this program should contact their local county assessor to see if their county participates in the program. The National Trust for Historic Preservation has compiled research about the long-term benefits of preserving important historic resources, and found that in general, preservation promotes the concept of sustainable communities, with sustainability measured in economic, social, and environmental terms.

4. Does listing in the National Register affect my private property rights? No. Listing a resource in the National Register has no effect on existing property rights. As stated in the NPS regulations for the program, the National Register is a planning tool [36 CFR 60.2(a)]. No part of the NHPA, as passed in 1966 or amended since, authorizes any federal, state, or local government to regulate privately-funded projects affecting historic resources that are on private property. However, participation in federal programs does require that a funded or permitted project meet Section 106 of the NHPA, which affords some protection to historic properties. Furthermore, under Nevada state law [NRS 383.121], properties of historic, archaeological, or paleontological importance that are on public land in Nevada (including local governments), must coordinate their efforts with the Nevada State Historic Preservation Office to maximize the preservation of publically-managed resources. For more information about how Section

106 might affect you, visit the NVSHPO website, or contact Rebecca Palmer, the State Historic Preservation Officer.

5. My property has already been considered historic and when I make changes or updates, they are reviewed by a government commission. Why is this different than the National Register? While the National Register does not change any property rights, local governments in Nevada can create their own historic registers, and if they so wish, can adopt zoning and building code provisions for those historic properties. This is a separate process from the National Register and is enacted by your city or county government. Local preservation ordinances are authorized and governed under Nevada state law, specifically NRS Chapters 384 for Historic Districts, and Chapter 278 for Planning and Zoning. Many local governments use the National Register as a tool for their own planning and zoning decisions. Under federal law, chief elected local officials are notified when a property in their jurisdiction has been listed in the National Register. Based on that notification, some local governments and/or their citizens seek to ensure the protection of these important resources through a local zoning ordinance for historic preservation. However, in these cases, a local government must designate the property in a local historic register or equivalent before imposing regulations. Listing in the National Register alone does not authorize local governments to regulate private property for historic preservation purposes. The Comstock Historic District (CHD) is a special state district established by the State Legislature in 1969 for the protection of resources that reflect Nevada's foundations as a state. Property within the CHD is regulated by state statute under NRS 384, and overseen jointly by the NVSHPO and the Comstock Historic District Commission.

6. What is the "fifty year rule"? In general, any property that is nominated to the National Register should have become important at least 50 years ago. However, this "rule" is truly more a "guideline" that discourages the consideration of properties that might be too young for researchers to truly understand their importance. Exceptions are made for resources that are rare or exceptional in some way. The period of fifty years is somewhat arbitrary, but allows enough time and perspective for historians to develop a context in which to evaluate the importance of a particular resource.

7. Who can be involved with a nomination to the National Register? The nomination process for the National Register is open to the public at all stages. Any person or organization can nominate a property provided that they can complete the NPS nomination form. However, there are several individuals and entities that must be involved as a matter of federal and state law: The property owner – Federal law requires that the owner of a nominated property be notified of the nomination and be allowed a sufficient period to object to, or provide comment on, the nomination. If an owner objects to a nomination, the process ends immediately, but the state historic preservation officer may submit the nomination to the NPS for a determination of eligibility only, without the property being listed. The Nevada State Historic Preservation Office – Under federal law, all nominations on non-federal land must be submitted to the NVSHPO for review before they are submitted to the Keeper. The NVSHPO maintains staff familiar with the process and requirements for listing, and can assist nominating individuals in completing the necessary documentation. The NVSHPO also submits the final document to the Keeper for listing. The Nevada Board of Museums and History – This governor-appointed board serves as Nevada's "state review board," a board that all states are required to have for participation in the National Register. The Board reviews all nominations for completeness, accuracy, and eligibility, and makes a recommendation to the NVSHPO regarding submission to the Keeper. The Board includes several specialists in historic preservation and related fields. Certified Local Governments – Nominated resources may be located within a Certified Local Government (CLG) in Nevada, including Carson City, Las Vegas, Reno, and Storey County. In cases where a local government has been certified for participation in the national historic preservation program, their local administrators and commissioners are integral to the listing

process. A National Register listing reflects a successful collaboration between local, State and federal government.

8. I want to make sure I'm preserving my historic property. Where do I find help? The Department of the Interior, through the NPS' Technical Preservation Services (TPS) Division, provides guidance for the maintenance of historic properties. This guidance is referred to as The Secretary of the Interior's Standards for the Treatment of Historic Properties (or, the Secretary's Standards). Private property owners using private funding for development are under no obligation to use the Secretary's Standards, but may elect to do so to ensure that their property reflects the history for which it is important, and continues to be listed in the National Register.