AGENDA
Contra Costa County
HISTORICAL LANDMARKS ADVISORY COMMITTEE (HLAC) MEETING
Thursday, February 13, 2020 at 2:30 P.M.
LOCATION: 30 Muir Road, Martinez, CA in the Zoning Administrator Room

1. Call to Order
2. Public Comment
3. Approval of Summary Minutes for November 14, 2019 Meeting
4. Discussion Items:
   A. HLAC members’ overview of research collected thus far with respect to a potential County Historic Preservation Ordinance:
      • Carol Jensen – Draft Historic Preservation Ordinance
      • Melinda McCrary – City of Richmond Historic Preservation Ordinance
      • Eligibility List versus Historic Landmark List
   B. Staff researched the Town of Danville’s Historic Nomination application and processing fees per the request of the HLAC. Historic review is done with a development plan and an added $1,200 fee.
   C. Reducing the Fee for Submittal of a Historic Nomination Application for Consideration to be Included in the County’s Historic Resources Inventory (HRI)
      • On December 17, 2019 the Board of Supervisors reduced the cost of the Historic Nomination Fee from $1000 to $500.
   D. Other jurisdiction’s fees for Historic Nominations
   E. Progress regarding the General Plan Update as it pertains to Historic Preservation
      • County staff is soliciting community input through outreach events.
   F. Melissa Jacobson’s Request to have faculty from the Diablo Valley Community College volunteer to Assist in Updating the County’s HRI
   G. Carol Jensen’s Request to discuss the proposed restoration of the Byron Hot Springs Hotel
5. Committee Member’s Comments
6. Next Regularly Scheduled Agenda Discussion: Thursday, May 14, 2020 at 2:30 PM.

attachments: Summary Minutes for November 14, 2019 Meeting
              Fee Schedule – Historic Nomination Fee memo
              HLAC 2019 Annual Report
              Memorandum – Re: Draft Historic Preservation Ordinance
              Draft Historical Preservation Ordinance Ver. 1
              Resolution No. 2019-664
              Other Local Jurisdictions’ Fees for Submitting and Processing Historic Nomination Applications
              Brentwood Press, Vol. 22, No. 5 – January 31, 2020
The Historical Landmarks Advisory Committee (HLAC) will provide reasonable accommodations for persons with disabilities planning to participate in HLAC meetings who contact Nicholas Vu at least 48 hours before the meeting, at (925) 674.7807.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Community Development Division to a majority of members of the Historical Landmarks Advisory Committee less than 96 hours prior to that meeting are available for public inspection at the Community Development Division of the Department of Conservation and Development, 30 Muir Road in Martinez, during normal business hours.
Contra Costa County Historical Landmarks Advisory Committee (HLAC)
Summary Minutes for November 14, 2019

Members Present: Melissa Jacobson (Vice Chair), Raymond O’Brien, Melinda McCrary, and Aruna Bhat
Members Absent: Carol Jensen (Chair)
Staff: Dominique Vogelpohl and Nicky Vu

1. **Call to Order:** The meeting was called to order at 2:50 PM.

2. **Public Comment:** Margaret Freeman, Secretary of the Diablo Historic Preservation Committee, present

3. **Approval of Summary Minutes for August 8, 2019 Meeting:** Melinda McCrary moved to approve the minutes, Raymond O’Brien seconded. The minutes were approved: 4 Ayes (O’Brien, McCrary, Jacobson, Bhat), 0 Neighs

4. **Discussion Items:**

   A. **HLAC members’ overview of research collected thus far with respect to a potential County Historic Preservation Ordinance:**

      o See what are the final Policies and Goals of the new County General Plan
      o Review of a draft of the new General Plan when available to verify that a County Historic Preservation Ordinance is a Goal under Historical and Cultural Resources
      o Possible discussion Item to the Board of Supervisors for direction on a County Historic Preservation Ordinance
      o The Zoning Ordinance update will be completed after the General Plan update

      • **Carol Jensen – “rural” counties**

         o Absent

      • **Melissa Jacobson – Los Angeles County**

         o Residents of Laguna Beach did not want any restraints on development rights
         o There are both an Eligible list and a Historic Landmark list
         o There is a Commission and not just an advisory body
         o What are the pros and cons to a Historic Preservation Ordinance?
         o Unincorporated areas with no City jurisdiction would benefit from a County Preservation Ordinance

      • **Raymond O’Brien – Alameda County (also see attachment Alameda County Historic Preservation Ordinance presentation from November 14, 2019 agenda)**

         o Ordinance adopted in 2012
         o The public wanted the requirement of property owner’s consent to become a historic landmark
         o There was a 180 day period for property owners to opt out of the already established historic landmark list if their property was part of that list
- Power Point attachment contains details of the ordinance that were reviewed during HLAC meeting

- **Melinda McCrary – Santa Clara County**
  - Contains a Historic Landmark list
  - Designation criteria is the same as State and Federal and reviewed every 5 years
  - Property Owner consent required
  - Filing fee required
  - Historic committee makes recommendation to the Board of Supervisors
  - Board of Supervisors makes final approval or denial

**B. Staff’s Intended Recommendation to the Board of Supervisors with Respect to the Feasibility in Reducing the Fee for Submittal of a Historic Nomination Application for Consideration to be Included in the County’s Historic Resources Inventory (HRI)**

- Currently Historic Nomination review is taken in under a Planning Consideration application, which is $1,000 deposit + time and materials. The original recommendation was to not change the application fee or process, just to create a new line item with the title of Historic Nomination. Planning Consideration applications are being reduced to $500 deposit + time and materials with the new County Department of Conservation and Development Fee Schedule. As such, staff will be recommending to the Board of Supervisors to match this for newly added line item for Historic Nomination applications.
  - HLAC supported staff’s recommendation to reduce deposit amount from $1,000 to $500, and to include criteria for fee waiving due to economic hardship with the County Historic Preservation Ordinance proposal
  - Fee Schedule going back in front of the Board of Supervisors on December 17, 2019.

- **Staff also researched other local jurisdictions’ fees associated with Historic Nomination application and processing (attached to November 14, 2019 agenda).**
  - HLAC requested to know if the Town of Danville charges for Historic Nomination, and if so how much

**C. Staff’s Determination in the Feasibility in Including Information on Historical Resources as it Pertains to the Permitting Process on the County’s Planning Applications Website.**

- Once the new Fee Schedule becomes effective, staff will be able to create applications for Historic Nomination and Historic Review to include to the Planning Applications page of the County website, and staff will include a link to the HLAC webpage once applications are up

**D. Melissa Jacobson’s Request to have Faculty from the Diablo Valley Community College Volunteer to Assist in Updating the County’s HRI**

- Retired DVC faculty to volunteer to help update the HRI
- Need Board of Supervisors approval to update any portion of the HRI
- You cannot add or delete resources to the HRI without approval of the Board
- Volunteers would like to take photos of the resources listed in the HRI, and verify if the building/structure still exists
- The County is not endorsing going onto private property for any reason
E. Overview of HLAC’s 2019 Annual Report for the Board of Supervisors

- On December 13, 2011, the Board of Supervisors adopted Resolution No. 2011/497, which requires that each regular and ongoing board, commission, or committee annually report to the Board of Supervisors on its activities, accomplishments, membership attendance, required training/certification (if any), and proposed work plan or objectives for the following year.
  - HLAC provided comments to the Annual Report
  - Chair Carol Jensen provided comments and approved report
  - Annual Report went to the Board on consent on December 17, 2019

5. Committee Member’s Comments

- Next meeting’s agenda:
  - Carol’s “rural” counties ordinance overview
  - Town of Danville Historic Nomination Fees
  - What is the development regulation difference between an Eligibility List and a Historic Landmark list
  - Melinda to research City of Richmond Historic Preservation Ordinance
  - Other jurisdictions’ fee waving process and criteria due to economic hardship
  - Is a General Plan draft available for review?
  - Outcome of the Fee Schedule for Historic Nomination

6. Next Agenda Discussion: Thursday, February 13, 2020 at 2:30 PM.

The meeting adjourned at 4:30 PM.

attachments: Fee Schedule – Historic Nomination Fee memo
              HLAC 2019 Annual Report
TO: Stanley Muraoka, Senior Planner of the County Community Development Division

FROM: Historical Landmarks Advisory Committee (HLAC)
   By: HLAC staff Dominique Vogelpohl

DATE: November 14, 2019

SUBJECT: Application Fees for Nomination to the County Historic Resources Inventory (HRI)

At the September 17, 2019 Board of Supervisors meeting, with respect to the updated Land Development Fee Schedule, the Board directed staff to meet with the Historical Landmarks Advisory Committee (HLAC) and interested nonprofit organizations to gather information related to reducing or waiving the historic nomination fee in the updated Fee Schedule, and to provide criteria for such reduction or waiver.

The HLAC voted at their meeting held on November 14, 2019 to endorse staff’s recommendation to reduce the deposit amount of $1,000 to $500 for Historic Nomination applications.

Their recommendation included that staff review the possibility of including reducing and/or waiving fees for Historic Nomination applications based on economic hardship, and criteria to verify such hardship, as part of an overall County Historic Preservation Ordinance.

Sincerely,

[Signature]

HLAC staff
Dominique Vogelpohl
I. Activities

Describe the activities for the past year including areas of study, work, special events, collaborations, etc.

In addition to the already scheduled four quarterly meetings, conducted three Special Meetings for the sole objective of drafting policies/goals/implementation measures with respect to the County's General Plan Historical and Cultural Resources section to recommend to the consultant Placeworks for their consideration to include in the County Envision 2040 General Plan update.

Collaborated with the Contra Costa County Historical Society, and all other Historical Societies within the County, in drafting above mentioned policies/goals/implementation measures to recommend to the consultant Placeworks for the County Envision 2040 General Plan update.

Conducted research to aid in drafting a potential County Historic Preservation Ordinance.

Received active attendance and participation by members of the public at both the special and regularly scheduled meetings, and received useful feedback on the recommendations for Envision 2040 and several other discussion items.

II. Accomplishments

Describe the accomplishments for the past year, particularly in reference to your work plan and objectives.

The above mentioned recommendations for policies/goals/implementation measures for the in-progress County Envision 2040 General Plan update were consolidated and formally approved by the HLAC at their June 27 Special Meeting, which also included recommending the inclusion a map showing the locations of the resources listed in the County Historic Resources Inventory (HRI) that also delineates between the unincorporated and City boundaries. These recommendations were submitted to Principal Planner Will Nelson in July for his and consultant Placeworks consideration.

Commemorative Resolution to honor former HLAC Chair Stephen Lawton approved by the Board of Supervisors on August 6, 2019.

Provided a formal recommendation to the Board of Supervisors at their September 17 meeting to reduce the application fees to nominate potential resources for designation to the County HRI to encourage organizations and/or individuals to participate in this County program.

The Valona Historic District is located within the Crockett area of the County, and was established through one of the HRI's previous updates. The Community Development Division (CDD) was unclear of the exact boundaries for the District based on the HRI's description. The HLAC recommended to CDD to recognize the area delineated in the Map of the Town of Valona (recorded in 1883): Blocks A-J as the Valona Historic District boundaries, which CDD accepted.
III. Attendance/Representation

Describe your membership in terms of seat vacancies, diversity, level of participation, and frequency of achieving a quorum at meetings.

The five-member HLAC is comprised of four Contra Costa County Historical Society (CCCHS) members and the Deputy Director of the Department of Conservation and Development, Community Development Division.

Meetings held in 2019: January 17th (special meeting), February 14th, March 27th (special meeting), May 9th, June 27th (special meeting), August 8th, November 14th
Melissa Jacobson, Seat 1 - Present, Present, Present, Present, Present, Present, Present
Melinda McCrory, Seat 2 - Present, Present, Present, Present, Present, Present, Present
Raymond O'Brien, Seat 3 - Present, Absent, Present, Present, Present, Present, Present
Carol Jensen, Seat 4 - Present, Present, Present, Present, Present, Present, Present
Aruna Bhat - Present, Present, Absent, Present, Present, Present, Present

IV. Training/Certification

Describe any training that was provided or conducted, and any certifications received, either as a requirement or done on an elective basis by members. NOTE: Please forward copies of any training certifications to the Clerk of the Board.

All HLAC members are up to date with their Training Certification for Member of County Advisory Body and Public Service Ethics Education Certification.

V. Proposed Work Plan/Objectives for Next Year

Describe the advisory body's workplan, including specific objectives to be achieved in the upcoming year.

Continue participating in the in-progress County Envision 2040 General Plan update with respect to the already provided recommendations for policies/goals/implementation measures, and also view the new General Plan draft in its entirety to verify historic preservation is woven throughout the overall document.

Request direction from the Board of Supervisors with respect to including a County Historic Preservation Ordinance with the in-progress County Zoning Ordinance update.

With the assistance of the Contra Costa County Historical Society and other County Historical Societies, create an inventory list of potential historical resources within the County.

With the assistance of the Contra Costa County Historical Society and CDD staff, update the County Historic Resources Inventory to include each resources' correct address, Assessor Parcel Number, GPS coordinates, whether it is located within unincorporated County or a City jurisdiction, photographs of each resource in its current condition, and correct any and all spelling/grammatical errors.

Continue education and training in historical and cultural resources related topics as it pertains to public policy and development/restoration of historical resources etc. The HLAC wishes to explore utilizing the seminars and workshops provided by such organizations like the Conference of California Historical Societies and SPUR.
MEMO

From: Carol Jensen
To: Fellow HLAC members
RE: Draft Historic Preservation Ordinance
Date: February 4, 2020

Discussion and research into historic resource components appropriate for inclusion in the Contra Costa County General Plan 2040 are well underway by this committee. The next step to this planning process is whether a historic resource ordinance should be recommended by this committee to the Board of Supervisors. Whereas the 2040 General Plan would integrate historic resources into the County vision. It is a historic resource ordinance that would implement that vision.

The following proposed historic resource ordinance is a draft attempt to capture the individual committee members’ research into what other California counties are doing to protect and conserve their historic resources. Many, I venture to say most, California counties have historic resource ordinances in place. The document attempts to capture in ordinance format the spirit and intention of direction for the County Planning Commission and staff as articulated by our committee members. This is a work in progress and I urge your reading, editing, criticism, and revision toward a substantive ordinance that fulfills the wishes and desires of the citizens and residents of Contra Costa County.

The overarching purpose and intent of the ordinance is:

I. The preservation, protection, enhancement, and perpetuation of resources of architectural, historical, and cultural merit within Contra Costa County and to benefit the economic, social and cultural enrichment, and general welfare of the people.

The purpose is followed with:

II. Definitions
III. Integration with the 2040 General Plan
III. Historic Resource Inventory
IV. Responsibilities and duties of the Historic Landmark Advisory Committee
V. Definition of two Overlay Districts: Historic Districts and Historic Visa Districts
VI. Certificate of Appropriateness: Process and Design Review
VII. Fees
VIII. Exceptions
IX. Amendments
XI. Integration with Federal and State regulations

Next Steps: More research and work needs to be done to best capture the desire and intent of our County citizens and residents. No legal counsel has been consulted as to legal format or compliance with existing law. That comes last. Let us focus on intent, substance, and procedure by soliciting interested parties input, applying our own research and skills, and revising this working document into a vehicle for implementing the new 2040 General Plan regarding historic resources.

Enclosure: COUNTY OF CONTRA COSTA, HISTORIC PRESERVATION ORDINANCE, PROPOSED - DRAFT NO. 1
COUNTY OF CONTRA COSTA
HISTORIC PRESERVATION ORDINANCE

PROPOSED - DRAFT NO. 1

ARTICLE I. – INTRODUCTION

Sec. A. - Title of chapter.

This chapter shall be known as the Historic Preservation Ordinance of the County of Contra Costa.

Sec. B. - Purpose and intent.

The Historical Preservation Ordinance is adopted for the preservation, protection, enhancement, and perpetuation of resources of architectural, historical, and cultural merit within Contra Costa County and to benefit the economic, social and cultural enrichment, and general welfare of the people. The purpose of this chapter is to:

a. Identify, protect, preserve, and enhance historic resources (as defined in Section XXXX below) representing distinctive elements of the cultural, social, economic, political, and architectural history of Contra Costa County;

b. Provide a mechanism to compile, update and maintain the heritage resource inventory;

c. Enhance the visual identity of Contra Costa County by maintaining the scale and character of historic resources and their settings, and integrating the preservation of historic resources into public and private development;

d. Encourage, through public and private action and collaboration with other organizations, the maintenance and rehabilitation of historic resources;

e. Promote public knowledge, participation, understanding, and appreciation of Contra Costa County's rich history and sense of place;

f. Foster civic pride and a sense of identity based upon the recognition and use of Contra Costa County's historic resources;

g. Protect and enhance Contra Costa County's attraction to tourists and visitors thereby stimulating business and industry;

h. Promote awareness of the economic, social and cultural benefits of historic preservation in collaboration with other organizations;

i. Provide for consistency with state and federal preservation standards, criteria, and practices; and

j. Make available incentive opportunities to preserve Contra Costa County's historic resources.

Sec. C - Definitions.

For the purposes of this chapter, the following words and phrases have the meanings ascribed to them in this section, unless the context or the provision clearly requires otherwise:
a. *Alteration* means any work, other than demolition or preventative maintenance, affecting the exterior appearance of significant historical or architectural features, or the historic context of a designated landmark, including, but not limited to, exterior changes, additions, new construction, grading and relocation.

b. *Building* (as applied in the context of this chapter) means any construction, such as a house, garage or barn, created to shelter any form of human activity. Building may also refer to a historically related complex, such as a house and a barn.

c. *Demolition* means the act or process that partially or completely destroys, or dismantles a landmark or historic resource.

d. *Evaluation* means the process by which the significance and integrity of a building, structure, object, or site is judged by an individual who meets the professional qualification standards published by the National Park Service in the Federal Register (Code of Federal Regulation, 36 CFR Part 61), as determined by the State Office of Historic Preservation, using the designation criteria outlined in Article II of this Chapter, Chapter 3.50 of the Zoning Ordinance or Division C16 of the County Code.

e. *Feature* means elements embodying the historical significance or architectural style, design, general arrangement and components of all of the exterior surfaces of any landmark or historic resource, including, but not limited to, the type of building materials, and type and style of windows, doors, or other elements related to such landmark or historic resource.

f. *-h Historic Preservation Combining District* means an area of historic and architectural significance, and of special character or aesthetic interest to Contra Costa County and designated as a Combining Zoning District according to the procedures and criteria outlined in Chapter XXXX of the Zoning Ordinance.

g. *HLAC* means the County of Contra Costa Historical Landmark Advisory Committee as established by the Board of Supervisors.

h. *HLAC Staff also referred to as “staff” refers to the County of Contra Costa Planning Department staff member assigned to the Historical Landmark Advisory Committee.

i. *Historic Resource Inventory* means a compilation of historic resources located in unincorporated Contra Costa County which are listed in federal or state registers or have been designated as a Landmark pursuant to this Chapter, a - h Historic Preservation Combining District pursuant to the Zoning Ordinance, or a heritage tree pursuant to the Contra Costa County Ordinance Code, or that potentially meet the designation criteria outlined in Article XXX, Chapter XXX of the Zoning Ordinance or Division XXX of the County Code. This definition does not prevent the County from exercising jurisdiction in the event of proposed city annexation.

j. *Heritage tree* means a tree designated as a heritage tree pursuant to Division XXXXX of the County Ordinance Code.

k. *Historic resource* means any evaluated building, structure, object, vista or site that potentially meets the designation criteria outlined in Article II of this chapter, Chapter XXXX of the Zoning Ordinance or Division XXXXX of the County Code, the Sacramento-San Joaquin Delta National Heritage Area, or that is listed in a federal or state register.
1. **Historic Resources Inventory** means a) the process of systematically identifying, researching, photographing, and documenting historic resources within a defined geographic area, and b) the resulting inventory of evaluated properties that may be consulted for future designation. All surveys shall be conducted in accordance with the Secretary of the Interior's Standards and Guidelines for Identification and Evaluation, as may be amended.

m. **Integrity** means the authenticity of a resource's historic identity, evidenced by the survival of physical characteristics that existed during the resource's historic or prehistoric period.

n. **Alteration permit** means a permit approving an alteration to or demolition of a historic resource listed in the heritage resource inventory pursuant to the provisions of this chapter.

o. **Mills Act** means California Government Code Sections 50280 et seq., as it may be amended.

p. **National Register of Historic Places** means the official inventory of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, and culture which is maintained by the Secretary of the Interior under the authority of the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq., 36 C.F.R. Sections 60, 63).

q. **Non-contributing** means a feature, addition or building, structure, object or site which does not add to the sense of historical authenticity or evolution of an historic resource or landmark or where the location, design, setting, materials, workmanship, history, and/or association of the feature, addition or building, structure, object or site has been so altered or deteriorated that the overall integrity of that historic resource or landmark has been irretrievably lost.

r. **Object** (as applied in the context of this chapter) means a construction, such as a statue, monument or milepost that may be, by nature of design, moveable yet related to a specific setting or environment.

s. **Owner** means the person(s) whose name appears as the owner of a property on the last tax assessment roll of Contra Costa County.

t. **Preventative maintenance** means any work to prevent deterioration or damage to the structural integrity or any exterior feature of a landmark or historic resource that does not involve a change in design, material or exterior appearance. Such work includes, but is not limited to, painting, roof repair, foundation or chimney work, or landscape maintenance.

u. ** Qualified historical building or property** for the purposes of the State Historical Building Code means any building, site structure, object, district or collection of structures, and their associated sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal government jurisdiction. This shall include designated buildings or properties on, or determined to be eligible for, official national, state or local historical registers or official inventories such as the National Register of Historic Places, California Register of Historical Resources, State Historic Landmarks, State Points of Historical Interest, and officially adopted county registers, inventories, or
surveys of historical or architecturally significant sites, places, scenic corridors, Visas, or landmarks.

v. **Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings** means the illustrated version of the Standards and Guidelines for Rehabilitation developed by the Technical Preservation Services Branch, Preservation Assistance Division of the National Park Service, as it may be amended.

w. **Secretary of the Interior's Standards for the Treatment of Historic Properties** means principles developed by the National Park Service (36 C.F.R. 68.3, as it may be amended from time to time) to help protect historic properties by promoting consistent preservation practices and providing guidance to historic building owners and building managers, preservation consultants, architects, contractors, and project reviewers on how to approach the treatment of historic properties. The Secretary of the Interior Standards for the Treatment of Historic Properties may also be referred to in this chapter as "Secretary of the Interior's Standards."

x. **Site** (as applied in the context of this chapter) means the location of a significant event, a prehistoric or historic occupation or activity, building or structure, whether standing, ruined or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing buildings, structures or objects. Examples of a site are a Native American shell mound, designed or natural landscape, military landmark, trail, or camp site.

y. **State Historical Building Code** means California Code of Regulations, Part 8 of Title 24 (California Building Standards Code), as it may be amended.

z. **Structure** (as applied in the context of this chapter) means a functional, man-made construction, such as, but not limited to, a fence, a wall, bridge, water tank tower, or tunnel, typically made for purposes other than creating shelter.

aa. **California Scenic Highway and Corridor Protection Program** means the California Department of Transportation program acknowledging the many state highways that are located in areas of outstanding natural beauty. California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263.

**ARTICLE II - ARCHEOLOGICAL AND HISTORICAL RESOURCES.**

No person shall damage, injure, collect, remove or disturb any object of paleontological, archaeological or historical interest or value in the County of Contra Costa.

**ARTICLE III – GENERAL PLAN**

This Historic Preservation Plan is written and intended to comply and elaborate the guidance outline in the 2040 General Plan for the County of Contra Costa as approved by the Board of Supervisors on XXX,XX, 2020

Article IV – Contra Costa County Historical Society
The official Historical Society for the County of Contra Costa is the Contra Costa County Historical Society, established in 1951, whose mission is the care and preservation of the history of the County of Contra Costa.

All nominees to the Historical Advisory Committee are made by the Historical Society from their members in good standing and shall represent the residents in the County of Contra Costa supervisorial districts.

Article III – Historical Landmarks Advisory Committee

Sec A. – Composition
The Historic Landmark Advisory Commission will consist of 5 public members representing the supervisorial districts in the County of Contra Costa and one member representing the Planning Department. Public advisory committee appointees will be recommended by the Contra Costa County Historical Society.

Sec. B – Term
Advisory committee members serve four-year, staggered terms.

Sec. C – Governance
Officers consist of a Chair Person and Vice Chair Person

Sec. D - Duties

ARTICLE IV – HISTORIC RESOURCES INVENTORY

Sec A - Historic Resources Inventory

The Historical Landmark Advisory Committee (“Advisory Committee”) shall undertake and complete a Historic Resources Inventory. Upon completion of such survey(s), the advisory committee shall undertake to establish and maintain an inventory of structures, objects and areas having a special historical, cultural, architectural or aesthetic interest or value. This inventory may include single structures or sites, portions of structures, groups of structures, manmade or natural landscape elements, objects, works of art, or integrated combinations thereof.

Sec. B - Historic Resources Inventory Studies and Analysis.
Upon completion of such inventory, the advisory committee:

a. May carry out, assist and collaborate in studies and programs designed to identify and evaluate structures, objects, sites and areas worthy of preservation, and establish archives where pictorial evidence of the structures and their architectural plans, if any, may be preserved and maintained;
b. May consult with and consider the ideas and recommendations of civic groups, public agencies and citizens interested in historic preservation;
c. With permission of the owner or, where appropriate, of the owner's authorized agent, inspect structures, objects, sites and areas which it has reason to believe worthy of preservation;
d. May disseminate information to the public concerning those structures, objects, sites and areas deemed worthy of preservation, and may encourage and advise property owners and members of the community generally in the protection, enhancement, perpetuation and use of designated structures, property in historical districts, and other officially recognized property of historical, cultural or architectural interest;
e. May consider methods for encouraging and achieving preservation, and may establish such policies, rules and regulations as it deems necessary to administer and enforce this chapter, subject to approval by the Board of Supervisors. Sec. F - Initiation of Designation.

The public or interested party(ies) shall initiate the designation of a historic resource by application and payment of fee. In addition, initiation may be made by the Board of Supervisors or Historic Landmark Advisory Committee, neighborhood associations, historic preservation organizations, the verified application of the owner or authorized agent of property to be designated, or by the application of at least twenty-five unrelated residents of an unincorporated township or Municipal Advisory Council.

Any such application shall be filed with the advisory committee upon forms which it shall provide, and shall be accompanied by all data required by the advisory committee.

Sec G - Action by advisory committee—Public hearing.

Upon receipt of a request/application for designation, or the property owners' consent to the designation, the staff, shall schedule a public hearing and cause notice thereof to be published. The staff shall also cause all owners of property within a two-hundred-foot radius of the property in question, and any neighborhood group applicable to the property, to be notified of such application by mail. These notifications shall be made at least twenty-one days prior to the date scheduled for the hearing. After conducting a public hearing, the advisory committee shall determine whether to recommend to the Board of Supervisors that the proposed resource be added to the Historic Resource Inventory. No such designation shall be final prior to ratification at a subsequent meeting of the Board of Supervisors.

Sec. H- Action by advisory committee—Time limitation.
The advisory committee shall offer a public hearing, approve, disapprove or modify the request within one hundred eighty days after receipt of the request.

Sec. I - Action by advisory committee—Notice of action taken.

The advisory committee shall promptly notify in writing the applicant and owner of the property of such action taken. The advisory committee shall also mail a notice of its decision to persons requesting such notification. A copy of the notice of decision shall be filed with the Planning Department staff.

Sec. J - Resubmission—Reconsideration.

If a proposal initiated by application has been disapproved by the advisory committee, or by the Board of Supervisors on appeal, subsequent application that is the same or substantially the same may not be submitted or reconsidered for at least one year from the effective date of final action on the original proposal unless substantial additional data becomes available, in which case the advisory committee may rule to hear a resubmitted application after six months.

Sec. K - Additional action.

When a structure has been designated as provided above, the advisory committee shall cause a copy of the designation, or notice thereof, to be recorded in the office of the county Clerk-Recorder and copies filed with the following: planning division, building department, and housing authority. Such structure shall also appear on all zoning maps.

Mill’s Act

Williamson Act

IV - Districts

Sec. A - Establishment of Overlay Districts.

This chapter establishes two overlay zoning districts: the “Historic District” (H-D) and the “Scenic Highway or Corridor” or “Historic Vista” District(H-C).

Sec. B - Classification and intent of districts.

a. Historic District. This district may be made applicable to any area in the county found to have significant historical, architectural or aesthetic value. Any zoning district, or a portion thereof, may be designated an "historic district." It is the purpose of this district and the intent of the Board of Supervisors in adopting same to achieve maximum feasible rehabilitation. Rehabilitation, as distinct from restoration, is the process of returning a property to a state of utility, through repair or alteration, which makes possible an
efficient contemporary use. In rehabilitation, those portions of the property important to illustrating historic, architectural and cultural values are preserved or restored.

b. Scenic Corridor or Historic Vista. This district may be made applicable to any area in the county identified by the State of California as a scenic corridor or locally identified as an “historic vista”. Any zoning district, or a portion thereof, may be designated a “Scenic Corridor or Historic Vista.” It is the purpose of this district and the intent of the Board of Supervisors in adopting same to maintain the maximum scenic or historic vista feasible. In maintaining scenic corridors or historic vistas those portions of the property important to illustrating historic, architectural and cultural values are preserved or restored.

Sec. C - Initiation of amendment—Procedure.

Any one of the above overlay districts may be applied to property, or amendments regarding such classification of property shall be accomplished, using the procedures established in Chapter XXX of this code; however, whenever Chapter SSS refers to the "planning advisory committee," for the purposes of this chapter such reference means the Historical Landmarks Advisory Committee.

Sec. D. - Certificates of Appropriateness when a certificate of appropriateness is required.

Activity on a site or structure, shall require a certificate of appropriateness when such site or structure is:

a. In an Historic District;

b. A designated County Landmark Structure;

c. A designated Historic Structure;

d. A designated Structure of Merit;

e. A designated Contributing Structure.

Sec. E - Applicability—Type of activity; exceptions.

a. A certificate of appropriateness shall be required before the following actions affecting a site or structure designated under Section XXXX may be undertaken:

i. The construction of a new principal or accessory structure;

ii. The alteration of an existing structure in any manner which affects the exterior architectural appearance of the structure. "Exterior architectural appearance" is defined as the architectural character and general composition of the exterior of a structure, including, but not limited to, the type and texture of the building material and the type, design, and character of all windows, doors, stairs, porches, railings, molding and other appurtenant elements;

iii. The erection or alteration of a sign, accessory structure, fence or deck which is more than thirty inches above grade level;

iv. The installation or placement of concrete, asphalt or other impervious surfacing, for a purpose other than a driveway, which covers thirty-three and one-third percent or more, or two hundred square feet or more, whichever is greater, of a front yard on a through lot or covers thirty-three and one-third percent or more, or two hundred square feet or more, whichever is greater, of
the front and/or side yards on a corner lot. For the purpose of this section, a "yard" is defined as the area from the back of the sidewalk to the building line parallel to the street;
v. The erection or alteration of a retaining wall within a front yard. For the purpose of this section, a "yard" is defined as the area from the back of the sidewalk to the building line parallel to the street;
vi. The addition of one-hundred square feet or more of new building construction or an expansion of one hundred square feet or more of floor area into any existing portion of a structure which will result in modification to the exterior of the structure;
vii. The installation or placement of a driveway
viii. The interior alteration of a structure designated as a County landmark;
ix. The moving or demolition of an existing primary or accessory structure, excluding signs and fences.

b. Exceptions.
i. Advisory committee approval is not required and the provisions of this section do not apply to the painting, routine maintenance, or minor repair has defined in the rules of the advisory committee unless such structure is designated on the Historic Resource Inventory.
ii. Nothing herein shall prevent any changes in the interior features of a church where such changes are necessitated by changes in the liturgy, it being understood that the appropriate church officials, as owner of the property, are the exclusive authority on liturgy and are the decisive parties in determining what architectural changes are appropriate to the liturgy; provided, that when it is proposed to make changes necessitated by changes in liturgy, the church officials shall communicate the nature of the change to the advisory committee in order to receive comment and, if required, the advisory committee shall issue a certificate of appropriateness. However, prior to the issuance of any certificate, the advisory committee and church officials shall jointly explore such possible alternative design solutions as may be appropriate or necessary in order to preserve the interior features of such church.
iii. No certificate of appropriateness shall be required to prevent any emergency measures of construction, alteration or demolition which are deemed necessary to correct the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the building official or the fire marshal, and where the proposed measures have been declared necessary by such officials to correct the condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed.

Sec. F - Contents of application.
The application shall contain the name, address, and phone number of the applicant, the location of the proposed activity, a concise statement of the nature and extent of the proposed activity, and all other necessary information prescribed by the rules of the advisory committee. The application shall be signed by the applicant, or the applicant's agent. The application shall be accompanied by any required fee as prescribed by the Board of Supervisors. If, at the time of filing of the application, the applicant has made application or submission of the proposed activity for approval by the planning advisory committee or other county agencies, the staff shall make every reasonable effort to assure that the matters are processed and heard concurrently.


Within five working days after an application for a certificate of appropriateness has been found to be complete and accepted for processing, the staff of the advisory committee shall do one of the following:

a. If the proposed project consists of exterior alterations to an existing building, consists of the installation of a driveway, installation of impervious surfacing, the erection or alteration of a sign, fence, retaining wall or deck which is thirty inches or more above grade level, or constitutes new building construction of less than one hundred square feet, and meets the design standards adopted by the advisory committee, the staff shall approve the certificate of appropriateness. If the proposed project does not, in the judgment of the staff, meet the design standards adopted by the advisory committee, the staff shall schedule the project for the next available advisory committee meeting.

b. If the proposed project consists of the moving or demolition of an existing accessory structure which is not listed on the county's historical resource inventory, the advisory committee staff member shall mail a notice of the pending application to the owners of property within two hundred feet of the affected site at least seven days prior to the staff member's action on the application. If the staff member or any of the parties notified believe that the project may adversely affect the character of the district, the staff member shall schedule the project for the next available advisory committee meeting. Failure of any party to receive notice of the pending action shall not invalidate the proceedings.

c. If the proposed project is for the interior alteration of a structure designated as a county landmark, the staff shall schedule the project for the next available advisory committee meeting.

d. If the proposed project is for the construction of a new principal or accessory structure or constitutes new construction of one hundred square feet or more, the staff shall schedule the project for the next available advisory committee meeting. At least seven days prior to the project being considered by the advisory committee, a notice shall be sent to owners of property within two
hundred feet of the subject property and any neighborhood group applicable to the property.
e. If the proposed project consists of the moving or demolition of an existing primary structure, or an accessory structure which is listed on the county's historical resources inventory, the staff shall schedule a public hearing before the advisory committee. At least twenty-one days prior to said hearing, notice of said public hearing shall be published in a local newspaper, and mailed to the owners of property within 500 feet of the affected site. Failure of any party to receive notice of the hearing shall not invalidate the proceedings.
f. With respect to subsections AXXXXXX. and BXXXXXX. of this section, any interested person may appeal the decision of the staff to approve the certificate of appropriateness as meeting the minimum design standards by filing notice of appeal with the staff within five working days after the decision is made. If such an appeal is taken, the staff shall schedule the matter for the next available meeting and so advise the applicant and the appellant. The staff shall notify the advisory committee in a timely manner of every application approved by the staff.
g. Whenever the staff member of the advisory committee finds that the decision on any application is beyond his or her purview of authority, the application shall be forwarded to the advisory committee for its determination.

Sec. H - Design review standards.
a. Adoption of Standards. The advisory committee shall develop and adopt minimum regulations and standards. The advisory committee may appoint an advisory board or committee of such number as it determines advisable to recommend such regulations and standards. Upon adoption of such regulations and standards, the advisory committee shall forward them to the Board of Supervisors with a recommendation that such regulations and standards be incorporated into this chapter. The advisory committee shall not so adopt and recommend until it has conducted a public hearing thereon.
b. Basic Site Development Standards. Whenever a property is subject to a zoning district, and has been designated under Section XXXXXXX, all of the site development standards and provisions applicable to that zoning district shall also be applicable. In addition, the site development standards and provisions set forth in this chapter shall likewise apply.
c. New Construction Standards. To review and approve new buildings when a certificate of appropriateness is required pursuant to Section XXXXXXX, the advisory committee shall adopt and apply "new construction standards."
d. Secretary of Interior's Standards. To review and approve any alterations or other work on existing buildings when a certificate of appropriateness is required pursuant to Section XXXXX, the advisory committee shall adopt and apply the most current Secretary of Interior's Standards provided by the U.S. Department of the Interior.
Sec. I - Special considerations and policies.

a. The following policies of the county shall guide the advisory committee in its deliberations and actions:

i. It is the purpose of this chapter and the intention of the Board of Supervisors in adopting same to achieve the maximum restoration architecturally feasible. "Restoration" is the process of accurately recovering the form and details of a property as it appeared at a particular period of time by removing later work and by replacing missing original work.

ii. It is also the purpose of this chapter and the intention of the Board of Supervisors in adopting same that the advisory committee be lenient in its judgment of plans for structures which have little or no historic value, or of plans for new construction unless such plans would seriously impair the historic or architectural value of surrounding structures.

b. With respect to applications containing the moving or demolition of a structure, the following special considerations shall be utilized by the advisory committee when the matter before it so dictates:

i. If an application proposes to move or demolish a structure which the advisory committee considers will be a great loss to the county, the advisory committee shall enter into negotiations with the owner thereof to work out an economically feasible plan for the preservation of the structure;

ii. If the advisory committee finds that the retention of the structure constitutes a hazard to public safety and the hazard cannot be eliminated by economic means available to the owner, the advisory committee shall approve the application;

iii. If the advisory committee considers the structure valuable for the period of architecture it represents an important to the neighborhood in which it exists, the advisory committee may nevertheless approve the application if any of the following circumstances exists:
   a. The structure is a deterrent to a major improvement program which substantially benefits the county.
   b. Retention of the structure in the judgment of the advisory committee is not in the interest of the majority within the historic district district;

iv. The advisory committee may approve the moving of a structure of historical or architectural value as an alternative to demolition.
   a. All fencing erected within the historic district shall be in keeping with the character/period of these districts
b. The maximum height for fences within any required front yard and/or required street side yard shall be three feet six inches and six feet thereafter. For the purpose of this section, a "required yard" for interior or through lots shall be a minimum depth of fifteen feet from the front property line. For corner lots, required yards shall be a minimum depth of fifteen feet from the front property line and ten feet from any other property line abutting a street. The maximum height for all other fences shall be six feet.

c. Manufactured housing proposed for installation in places listed on the National Register of Historic Places shall be subject to all applicable county design review standards as provided in Section 16.75.040G.

d. With respect to applications for the installation of a driveway, a certificate of appropriateness shall not be issued unless the subject property retains a nonpaved area equal to or greater than the square footage of the footprint of all buildings or structures on the property.

Sec. J - Required findings.

Prior to granting a certificate of appropriateness the architectural heritage and landmarks advisory committee or the staff of the advisory committee, as is appropriate, shall find:

a. With respect to property in a historic district, that the proposed work shall not adversely affect the exterior features of the subject property or the relationship and congruity between the subject structure or feature and its neighboring structures and surroundings, including facade, setback, bulk, height, color and wall of continuity; nor shall the proposed work adversely affect the special character or special historical, cultural, architectural or aesthetic interest or value of the district.

b. With respect to the demolition, or portion thereof, of a designated historic resource, that the structure is in such condition that it is not feasible to preserve or restore it, taking into consideration the economic feasibility of alternatives to the proposal, and balancing the interest of the public in preserving the designated landmark or portion thereof, and the interest of the owner of the historic resource site in its utilization.

c. With respect to historic structures or structures of merit, that the proposed work shall not adversely affect the interior or exterior architectural feature; nor shall the proposed work adversely affect the character or special historical, cultural, architectural or aesthetic interest or value of the structure and its site, viewed both as to the structure and as to its setting.

Sec. K - Variances—Public hearing.
The owner of property which is subject to the provisions of this chapter as specified in Section XXXX may apply for a variance to the development standards of this chapter. Upon receipt of a request for a variance, the staff shall schedule a public hearing and cause notice thereof to be published once in a newspaper of general circulation in the county, and also mail a notice of the hearing to appropriate property owners as defined by the noticing procedures specified by state law and/or county policy. The variance shall be reviewed in accordance with the provisions of Chapter XXXX of this code, entitled variances, except that whenever Chapter XXXX refers to the "planning advisory committee" for the purposes of this chapter such reference means the "architectural heritage and landmarks advisory committee."

Sec. L - Minor exceptions.

The owner of property which is subject to the provisions of this chapter as specified in Section XXXX may apply for a minor exception to the development standards of this chapter. Said requests shall be governed by the provisions of Chapter XXXX and be processed as described therein, except that the request shall be subject to review and approval by the staff of the Historic Landmarks advisory committee or his/her designee.

Sec. M - Time limitation of approval.

Approval of the certificate of appropriateness shall expire automatically eighteen months after the date of approval by the historic landmarks advisory committee or by the staff, unless authorized construction has commenced prior to the expiration date; except that upon written request prior to expiration, the staff may extend the approval for an additional twelve months. If the staff denies the application for extension, the applicant may appeal to the advisory committee within ten days after the staff has denied the extension.

Sec. N - Revocation or suspension of a certificate.

The Historic Landmarks Advisory Committee shall have the power to revoke or suspend a certificate of appropriateness where the permit was obtained by fraud; or where the conditions of such certificate have not been or are not complied with.

Sec. O - Certificate of appropriateness—Refiling application.

At the conclusion of the hearing, or within thirty days thereafter, the advisory committee shall render its decision approving or disapproving the application. If the application is approved, the staff shall issue a certificate of appropriateness. No application for the same or substantially similar proposed activity may be filed within one year after disapproval of the activity.

Sec. P - Certificate of appropriateness—Appeal process.

Any person aggrieved by the decision of the staff of the advisory committee may appeal the matter to the advisory committee by filing a notice of appeal within five days of the staff’s decision. Any person aggrieved by the decision of the advisory committee may appeal to the Board of Supervisors by filing a notice of appeal with the county clerk-recorder within ten
days after the advisory committee renders its decision. Notice and hearing on such appeal shall be the same as prescribed by the Board of Supervisors for zoning and land use appeals under this title. The decision of the Board of Supervisors shall be final and conclusive in the matter.

V. - Other Provisions

Sec. A - Fees.

The planning division may collect such application or other fees for the administration of this chapter as are authorized from time to time by the Board of Supervisors.

Sec. B - Alternative building code.

The building official may use the State Historic Building Code in his review of any designated structure.

Sec. C - Duty to keep in good repair.

The owner of a designated structure, or of a structure in an historic or heritage district shall keep in good repair all of the exterior portions thereof and such interior portions as are necessary to prevent deterioration or decay.

Sec D - Property owned by public agencies.

The advisory committee shall notify all public agencies which own or may acquire property in the county about the existence and character of designated landmarks and historic districts. In the case of any public agency which is not subject to the zoning jurisdiction of the county, it is encouraged to seek the advice of the advisory committee prior any construction, alteration or demolition of any structure in an historic or heritage district or of any designated structure.

Sec. E - Notice; recording.

With respect to the parcels of real property located within the boundaries of the “Scenic Highway or Corridor” or “Historic Vista” District(-HC) and the” Historic District “(-HD) and other parcels designated and made subject to the requirements of Chapter XXX of this code, the county Clerk-Recorder shall cause to be recorded in the office of the recorder of Contra Costa County, California, a "Notice of Restriction" substantially as follows:

NOTICE OF RESTRICTION

Notice is hereby given that this property in the County of Contra Costa, California, is subject to Historic Preservation Ordinance. Prior to commencing any construction remodeling the property owner shall consult with the Planning Department, County of Contra Costa and secure a Certificate of Appropriateness if required by the above referenced ordinance.
Sec. F - Amendments.

The advisory committee may initiate amendments to this chapter as needed to accomplish its purpose as defined in the 2040 General Plan. Said amendment shall be processed in accordance with the provisions of Chapter XXXXX except that whenever Chapter XXXXX refers to the "planning advisory committee" for the purposes of this chapter such reference means the "Historic Landmarks Advisory Committee."

Sec. G - Designation of Historic Resource.

Additional contributing resources including previously unevaluated or undiscovered resources may be designated as a Historic Resource by the Board of Supervisors given recommendation by the Historic Landmark Advisory Committee pursuant to this chapter. Such previously unevaluated or undiscovered resources may be potentially eligible for listing in the California Register of Historical Resources.

Sec. H - Additional Action.

When a structure has been designated as provided above, the advisory committee shall cause a copy of the designation, or notice thereof, to be recorded in the office of the county recorder and copies filed with the following: planning division, building department, and housing authority. Such structure shall also appear on all zoning maps.

ARTICLE VI


a. Combining Zone Established. This Section establishes a Design Review—Historic (-DH) Combining Zone to identify and protect historic structures, sites, and districts, and establishes procedures and regulations for the review of projects that may affect such resources.


i. Following consideration by the Advisory committee, the Board may designate a (-DH) Combining Zone upon determining that it is consistent with General Plan Objective 7.5.2 (Maintenance of the Visual Integrity of Historic Resources).

ii. The boundaries of each (-DH) zone shall be specifically identified at the time of its creation. Said boundaries may be amended by a zone change in compliance with Chapter 130.63 (Amendments and Zone Changes) in Article 6 (Zoning Ordinance Administration) of this Title.

c. Development Requirements within (-DH) Combining Zone.
i. Development on multi-unit residential, commercial, or industrial zoned property within the (-DH) Combining Zone shall be reviewed for consistency with standards adopted under Subsection XXXX (Design Review Committee) in Article XXX (Planning Permit Processing) of this Title. If the development requires another discretionary permit, such as a Conditional Use or Development Plan Permit, said discretionary permit will satisfy the Design Review Permit requirement. For discretionary projects requiring public hearing, staff shall make a recommendation to the review authority based on the determination of consistency.

ii. Prior to issuance of a building permit for single-unit residential development, consistency with design and development standards under Subsection XX (Adoption of Historic Design Guidelines) below in this Section shall be determined by Administrative Permit (Section XXXXXX, Administrative Permit, Relief, or Waiver) in Article XX (Planning Permit Processing) of this Title, subject to the guidelines and standards adopted for the specific (-DH) Combining Zone in which the development is located.

d. Adoption of Historic Design Guidelines. The Board shall adopt, by resolution, guidelines and standards that shall delineate the requirements for design review within each historic district. Until such time as design guidelines and standards are adopted, the State of California and U.S. Department of the Interior guidelines shall apply.

Sec B - Design Review - Scenic Corridor or Historic Vista (-DC) Combining Zone—Reserved.

VII - Adoption.

The California Historical Building Code as amended and appearing in the 2016 California Building Standards Code, and all its appendices, California Code of Regulations Title 24, Part 8, is hereby adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended; as the county historical building code. One copy of said code and amendments is on file in the office of the building official of the County of Contra Costa, Martinez, California, for use and examination by the public.

END OF DOCUMENT
THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 12/17/2019 by the following vote:

John Gioia
Candace Andersen

AYE: 5
Diane Burgis
Karen Mitchoff
Federal D. Glover

NO:  
ABSENT:  
ABSTAIN:  
RECUSE:  

Resolution No. 2019/664

Amendment to the Land Development Fee Schedule

1. The County of Contra Costa previously conducted a review of the services provided by its Department of Conservation and Development and the costs of providing those services. On September 17, 2019, the Board of Supervisors adopted an updated Land Development Fee Schedule. The Fee Schedule includes a fee for processing applications to nominate a historic resource for inclusion in the County historic resources inventory (Historic Nomination Application Fee), calculated on a time and materials basis with an initial fee deposit of $1,000.

2. The Board of Supervisors desires to encourage applications requesting the nomination of historic resources for inclusion in the County historic resources inventory.

1. Fee Schedule Amendment. The County’s Land Development Fee Schedule is hereby amended to require an initial deposit of $500 for a Historic Nomination Application Fee.

2. Effective. This Resolution is effective immediately upon adoption.

Contact: Stan Marsoka, 925-674-7781

ATTESTED: December 17, 2019
David J. You, County Administrator and Clerk of the Board of Supervisors
By: Jane McElhaney, Deputy

cc:
## Other Local Jurisdictions’ Fees for Submitting and Processing Historic Nomination Applications

<table>
<thead>
<tr>
<th>City</th>
<th>Historic Nomination</th>
<th>Fee waiving policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martinez</td>
<td>N/A</td>
<td>-</td>
</tr>
<tr>
<td>Walnut Creek</td>
<td>N/A</td>
<td>-</td>
</tr>
<tr>
<td>Antioch</td>
<td>N/A</td>
<td>-</td>
</tr>
<tr>
<td>Pinole</td>
<td>N/A</td>
<td>-</td>
</tr>
<tr>
<td>Concord</td>
<td>$3,000(d) + TM</td>
<td>No fee waiving program</td>
</tr>
<tr>
<td>Richmond</td>
<td>$2,500(d) + TM</td>
<td>No fee waiving program</td>
</tr>
<tr>
<td>Lafayette</td>
<td>$0</td>
<td>No fee waiving program (nothing to waive)</td>
</tr>
<tr>
<td>Vallejo</td>
<td>$3,266 flat</td>
<td>-</td>
</tr>
<tr>
<td>Oakland</td>
<td>$0</td>
<td>No fee waiving program (nothing to waive)</td>
</tr>
<tr>
<td>Danville</td>
<td>$1,200 (d) + Development Plan Fee + TM</td>
<td>No fee waiving program</td>
</tr>
</tbody>
</table>

**KEY:**

- **N/A:** Jurisdiction does not have a process in place
- **(d):** Fee deposit
- **TM:** Time and materials
Council names new city manager

by Kyle Szymanski
Staff Writer

After an exhaustive national recruitment, Brentwood’s new city manager ended up being less than an hour away.

Former Manteca City Manager Tim Ogden has been tapped to fill the same role in Brentwood.

The Brentwood City Council unanimously approved Ogden’s employment contract this week, replacing Gus Vina, who retired late last year.

Ogden will earn $246,900 annually plus benefits and is set to start on Feb. 3.

“This is a great community. I love it already,” Ogden said this week.

Ogden’s Brentwood arrival comes after the Manteca City Council put him on paid administrative leave in September — pending an undisclosed investigation of a personnel matter that ultimately absolved him of any wrongdoing. He initiated an amicable separation from the city months later.

“I was investigated for a personnel matter,” he said. “They were not sure how I handled a certain personnel matter. At the end of the investigation, I was vindicated of the claim. I was not eager to return to the city after that, so I requested a separation agreement to move on. It just felt like the trust wasn’t there anymore.”

Prior to his separation from Manteca, he put that city’s finance director, who has since resigned, on leave in September pending an undisclosed investigation; the city’s community development director resigned in October to accept another job; and in November, the Manteca police chief was put on administrative leave, on which she remains also pending an investigation. The city’s public works director has also retired.

Ogden noted those changes were hastened by multiple changes on the Manteca City Council and four of five departed executives have since found jobs with other agencies.

Interim City Manager Miranda Lutzow declined to comment when asked specifically about Ogden’s tenure this week and referred questions about the other staff changes to a city-issued news release.

Manteca Mayor Benjamin Cantu did not return repeated requests for comment.

Developer aims to restore historic hotel

by Tony Kukulich
Staff Writer

Sitting oddly out of place among the arid rolling hills of rural East Contra Costa County, the Byron Hot Springs Hotel now offers a Bavarian-themed event space and a little German beer garden – something not super small but small scale,” Cort said. “I want to do something really nice there with a good chef that would make really good food for not a lot of money, good beer and then maybe some event space for weddings out there. I want to utilize the building that’s existing there – just fix it up. It’s about to fall down. It’s crumbling, literally crumbling.”

Robert Cort is the new owner of the Byron Hot Springs Hotel and surrounding property. Court has plans to restore the hotel and build a restaurant and possible event center.

The City of Brentwood has hired Tim Ogden as the new city manager. The former Manteca city manager will start Feb. 3. Ogden will earn $246,900 annually plus benefits and is set to start on Feb. 3.

The task faced by Cort is considerable. Time, vandals and general neglect have taken a heavy toll on the four-story hotel that dates to 1914. Referred to as “hotel three” after two previous hotels burned to the ground, it is the only building on the grounds that, according to Cort, once featured more than 20 structures. Windows and doors are long gone. All of the interior appointments have been stripped down to the concrete core of the building. Floors and ceilings sag, while fallen bricks from the exterior pile up on the ground. Nearly every surface bears the spray-painted mark of generations of trespassers who saw the building as their personal canvas.

“As architects, we like to say...”

For more information and photos, see Manager page 22

See Hotel page 22

Support For Samantha

Community continues to rally for paralyzed Brentwood girl still hospitalized.

Heritage Honors Muse

Basketball star Abby Muse honored for scoring 1,000 points in high school career.

BUSD Teacher Negotiations

Contract talks between the Brentwood school district, teachers union continue.

Meet Candidates

League of Women Voters hosting forum for District V candidates.
Job-generating complex breaks ground in Oakley

by Kyle Szymanski
Staff Writer

East County has long been known as a jobs desert. But with a couple flicks of a shovel this week, a new oasis was launched in Oakley. Alongside East County officials, Missouri-based NorthPoint Development broke ground on a massive job-generating light-industrial complex at the former DuPont chemical manufacturing facility site on Bridgehead Road.

“Every day, thousands of Oakley residents get in their cars and head west on Highway 4 toward their jobs in the far corners of Contra Costa County,” said Oakley Mayor Kevin Romick. “For 20 years, the City of Oakley has looked at this site as a job magnet, hoping to address the critical job-housing imbalance.”

NorthPoint Development intends to construct five buildings (2 million square feet of space) for light industrial, warehousing, distribution, e-commerce fulfillment and finance background and a solid background in economic development, and that is what we found in Tim Ogden,” she said. “He’s got a quiet demeanor but he gets the job done, and that is what we needed in the next city manager, and that is why we selected him.”

Ogden boasts 18 years of local government experience, including an over six-year stint as Waterford’s city manager; 2.5 years in the same role in Manteca; and other leadership roles with the cities of Riverbank and Modesto.

In announcing his arrival, Brentwood leaders pointed out that, while guiding Manteca, Ogden negotiated the now under-construction Great Wolf Lodge indoor waterpark resort that Brentwood was vying for; a significantly improved property-tax sharing agreement with the county was implemented; an economic development strategic plan was adopted; and multimillion dollar capital improvement projects were moved forward, including two interchanges.

Nine employee bargaining agreements were also reached, and balanced budgets were continually adopted.

“We interviewed a lot of great city manager candidates and are impressed with Tim’s specific qualifications and leadership experience and are ready to put him to work in our dynamic community,” said Mayor Bob Taylor.

Ogden, who is married with four children between the ages of one and 12, plans to relocate to Brentwood in the near future.

“It would be an understatement to say how excited I am to work in Brentwood with the city council and staff in a city that has been well-managed and is ripe with opportunity,” Ogden said. “I appreciate the trust and confidence in being selected for the position and am eager to get to know the community that I love already.”

Hotel

this has pretty good bones,” Crannell said. “Visually, it has good bones. Structurally, we don’t know yet. We’re having a structural engineer assess the building right now to figure out what’s going to happen. We already know that there’s going to be massive infrastructure to repurpose this building because of how it was built and the amount of deterioration in the building.”

As Cort currently envisions the project, two of the four floors will be removed. The first floor could accommodate a restaurant with a brewery or wine-making facilities, while the second floor could house space for weddings, parties or other events. Space would also be allocated as a museum preserving remnants of the area’s long and colorful past.

The city is outside the urban limit line, and the general plan calls for agriculture,” said Nelson. “Obviously, it’s one of the most unique sites in the county. It’s a historic building. It has a very interesting history. No one wants to see it deteriorate. At the same time, we do have our land-use regulations that say that you’re outside the urban limit line and you have an ag designation, there’s only certain things you can do. An event center isn’t one of them.”

Carol Jensen, Contra Costa County Historic Landmarks Advisory Committee chair, literally wrote the book on the Byron Hot Springs. A supporter of the hotel’s restoration, Jensen points out that the general plan took the unusual step of identifying the property as desiring rehabilitation.

“Whether you look at the current general plan, there are paragraphs and paragraphs that are specifically identified as Byron Hot Springs, and that the Byron Hot Springs is literally named, unlike anything else in the county, as historically important and should be restored,” explained Jensen. “It’s literally hand-written in the general plan.”

The project has also caught the attention of Contra Costa County District 3 Supervisor Diane Burgis, who said that over the years she’s been approached by numerous parties interested in developing the site.

“The Byron Hot Springs has been a place of interest for a long time,” she said. “There’s a historic interest in it for all of the roles it’s played here in East County ... I think that this effort is going to complement the effort that we’re making to expand the airport and create good jobs out there.”

And what of the famous hot springs for which the hotel was named? According to reports, all of the springs were caged during the U.S. Army’s use of the property during World War II.

“There are several different types of hot springs,” said Crannell. “They’ve all been tapped. There are over a dozen in the area. They are in the process of determining if they’re still valid, if they’ve dried up or if they’ve changed routes, and what the contents of those mineral springs are. Things change at the subterranean level. There’s over a dozen locations on the site where there was an existing spring at some point. There’s probably closer to 20, but what we’ve found so far is over a dozen.”

Having stood for more than 100 years, it’s impossible to know how much longer the Byron Hot Springs Hotel will stand before restoration becomes improbable or impossible. In the meantime, much work remains to be done. Cort is waiting for the county to respond to his preapplication review. Crannell said that any comments will be incorporated into a formal design that will be submitted to the county for approval. And Jensen said that, as the building is an historic structure, any plans will need to be compliant with U.S. Department of the Interior’s Standards for the Treatment of Historic Properties. Cort said he is ready to go as soon as he gets a green light.

“The biggest obstacle for me is that I have the funds,” Cort said. “That aspect of fundraising to get this thing done is not an issue in terms of my developing it. Theoretically, if the county approves it or gives me the okay, I could start work out there immediately. I’d have something beautiful out there fairly soon. The biggest obstacle for me is getting the county to say, ‘Okay, go do it.’ That’s literally the only thing stopping this project.”