

AGENDA

Contra Costa County
HISTORICAL LANDMARKS ADVISORY COMMITTEE (HLAC) MEETING
Thursday, November 14, 2019 at 2:45 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 August 8, 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 - "rural" County
 - Melissa Jacobson – Los Angeles County
 - Raymond O'Brien – Alameda County (also see attachment *Alameda County Historic Preservation Ordinance presentation*)
 - Melinda McCrary – Santa Clara County
 - 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.
 - Staff also researched other local jurisdictions' fees associated with Historic Nomination application and processing (attached).
 - 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.
 - D. Melissa Jacobson's Request to have Faculty from the Diablo Valley Community College Volunteer to Assist in Updating the County's HRI
 - 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.

5. Committee Member's Comments

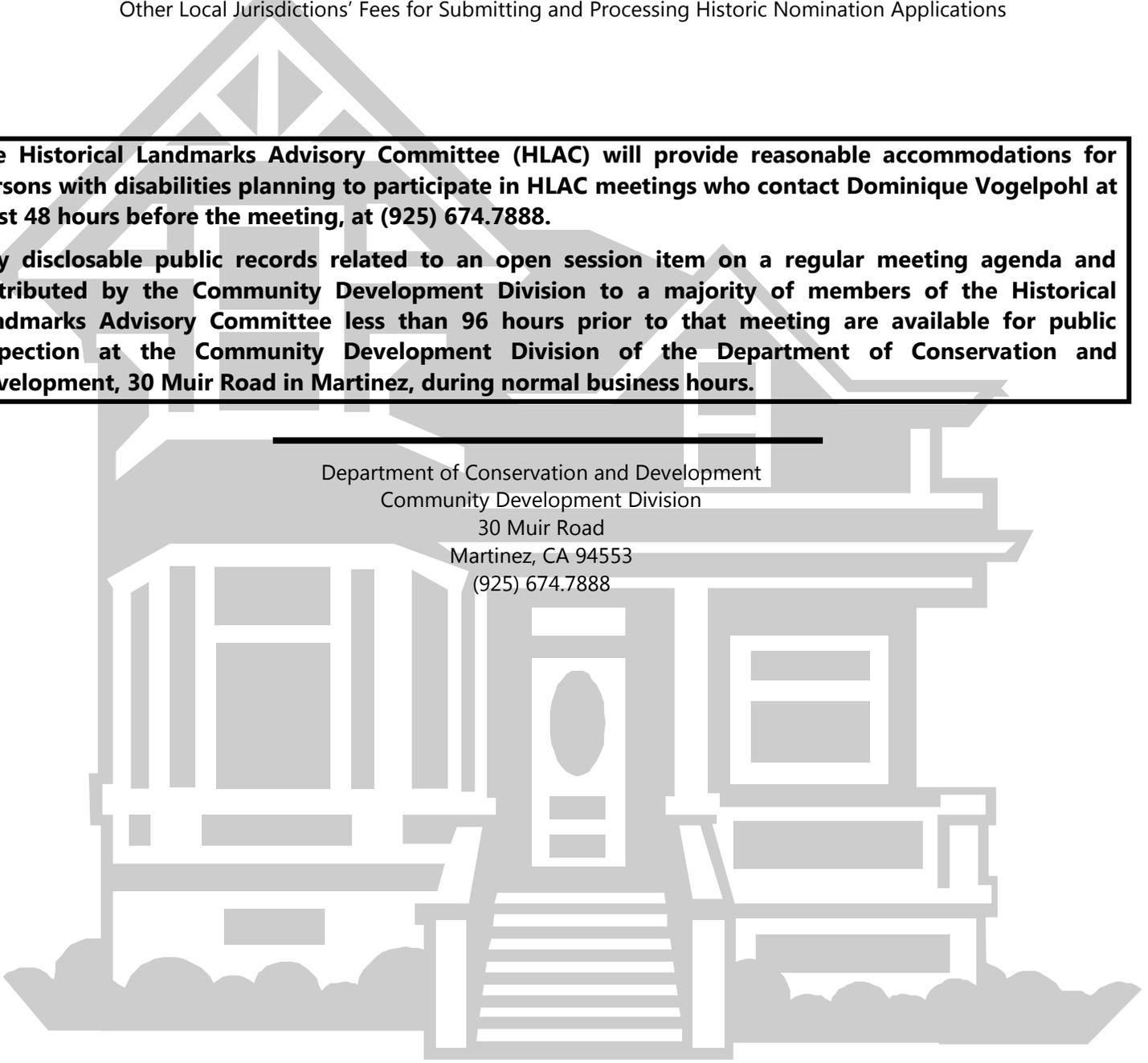
6. Next Regularly Scheduled Agenda Discussion: Thursday, February 13, 2020 at 2:30 PM.

attachments: Summary Minutes for August 8, 2019 Meeting
Alameda County Historic Preservation Ordinance presentation prepared by Raymond O'Brien
Other Local Jurisdictions' Fees for Submitting and Processing Historic Nomination Applications

The Historical Landmarks Advisory Committee (HLAC) will provide reasonable accommodations for persons with disabilities planning to participate in HLAC meetings who contact Dominique Vogelpohl at least 48 hours before the meeting, at (925) 674.7888.

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.

Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553
(925) 674.7888



Members Present: Carol Jensen (Chair), Melissa Jacobson (Vice Chair), Raymond O'Brien, Melinda McCrary and Aruna Bhat
Members Absent: none
Staff: Dominique Vogelpohl and Nicholas Vue

1. **Call to Order:** The meeting was called to order at 2:35 PM.
2. **Public Comment:** Tony and Dee Geisler, Chair and Co-Chair of the Diablo Historic Preservation Committee – summarized the County Envision 2040 meeting at the Diablo Country Club and reconfirming their understanding of the Historic Review process for Diablo as it is a County recognized historic district.
3. **Introduce Nicholas Vue, new planner for the Department of Conservation and Development, Community Development Division (CDD)** – Nicholas will act as interim HLAC staff in Dominique's absence.
4. **Approval of Summary Minutes for February 14, 2019 Regular Meeting, and June 27, 2019 Special Meeting:** Melissa Jacobson moved to accept the minutes with amendment to the February 14, 2019 regular meeting minutes including the proper spelling of *Andersen* under item #2 and the correct address of 1925 Alameda Diablo, Diablo under item #4B, Melinda McCrary seconded. The minutes were approved: all Ayes (Jensen, Jacobson, O'Brien, McCrary, Bhat)
5. **Discussion Items:**
 - A. **Commemorative Resolution to Honor Stephen Lawton approved by the Board of Supervisors on August 6, 2019** – HLAC staff provided commemorative resolution to HLAC members. HLAC members coordinated who will give the resolution to Stephen Lawton.
 - B. **Will Nelson confirmed that a draft of the new General Plan as requested by the HLAC at their June 27, 2019 meeting can be provided to the HLAC members for their review** – as of November 14, 2019, the General Plan draft is not yet completed and therefore not available for HLAC members to review.
 - C. **Suggestions for a Potential Historic Preservation Ordinance for Contra Costa County, which may include:**
 - **A survey of all buildings and structures within unincorporated County to create a list of potential historical resources**
 - **Process for review of applications and/or proposed development/alteration to a building or structure 45 years old or older**
 - **Noticing requirements**

- **Façade protection measures**

- Carol Jensen resolved to have the HLAC add a committee goal for 2020 to explore the feasibility of a County Historic Preservation Ordinance, and Raymond O'Brien seconded. The resolution was approved: all Ayes (Jensen, Jacobson, O'Brien, McCrary, Bhat)
- Each HLAC member chose an area to research with respect to collecting information to possibly implement into a local County Historic Preservation Ordinance:
 - Carol Jensen - "rural" County
 - Melissa Jacobson – Los Angeles County
 - Raymond O'Brien – Alameda County
 - Melinda McCrary – Santa Clara County

D. Summary of HLAC Member Melinda McCrary's meeting with District I - Supervisor John Gioia

- **Melinda met with Supervisor Gioia on Tuesday, August 6, 2019**

- Informed Supervisor Gioia the concerns of the HLAC that the Historic Resources Inventory is lacking and that there is no funding to conduct a comprehensive cleanup of the document.
- Melissa Jacobson and Raymond O'Brien met with Supervisor Glover, and informed him of the concerns of the HLAC, the work recently conducted by the local Historical Societies with respect to Envision 2040, possibly waiving historic nomination processing fees to those who qualify, and the Delta Heritage seminar.
- Carol Jensen said she would contact Supervisor Candace Andersen to communicate the concerns of the HLAC.

E. Application fee for Historic Nomination to the Historic Resources Inventory

- **A continued item from the HLAC June 27, 2019 Special Meeting**

- **HLAC members requested suggestions from CDD staff on how to reduce costs for Historic Nomination applications**

- Discussion item to consider adopting Resolution No. 2019/553 to establish new land development fees charged for services performed by the Department of Conservation and Development and the Public Works Department going in front of the Board of Supervisors on September 17, 2019 .
- Melissa Jacobson moved that the HLAC provide a statement to be included with this item for the Board of Supervisors to consider with respect to reducing the fee for historic nomination applications (attached), Raymond O'Brien seconded. 4 Ayes (Jensen, Jacobson, O'Brien, McCrary), 1 Abstain (Bhat)
- The Board requested that the Department of Conservation and Development look into the feasibility in reducing the fee for a historic nomination application, and report back to the Board by the end of 2019.

6. Committee Member's Comments – "New Business"

- Melinda McCrary endorsed the mural restoration project of the Arnautoff Mural within the City of Richmond.
- Melissa Jacobson read Gayle McLaughlin's book on organization.
- Carol Jensen requested that staff research the feasibility in including information on historical resources as it pertains to the permitting process on the County's *Planning Applications* website
- Carol Jensen requested staff provide an overview of recently processed projects that included Historic Review:
 - PC19-0012: Historic Review determining if the proposed remediation project creates a negative impact to the historical resource Arata Ranch Dairy Barn of the Black Diamond Mines Regional Preserve
 - LP18-2021: Land Use Permit to establish a new commercial building within the Knightsen Historic District
 - TP19-0031: Tree Permit and Small Lot Design Review with a Historic Review determining if Demolition of an Original Building to the Diablo Historic District would create a negative impact to the district
 - Status of all Mills Act Contracts within unincorporated County
- Raymond O'Brien requested confirmation of the requirements for buildings/structures 45 years old or older as it pertains to historic review: Buildings/structures 45 years old or older that are not already listed on a recognized register (Federal, State, or County) or are not located within a County recognized historic district, do not potentially trigger historic review unless associated with a discretionary action per the provisions of the California Environmental Quality Act (CEQA).

7. Next Regularly Scheduled Agenda Discussion: Thursday, November 14, 2019 at 2:30 PM.

- Requested items for next agenda:
 - HLAC members' overview of research collected thus far with respect to a potential County Historic Preservation Ordinance.
 - Determination in the feasibility in including information on historical resources as it pertains to the permitting process on the County's *Planning Applications* website.

The meeting adjourned at 4:50 PM.

Attachments:

- Amended summary minutes for February 14, 2019 regular meeting
- Memo prepared by HLAC staff for item D.3 of the Board of Supervisors September 17, 2019 agenda

Contra Costa County Historical Landmarks Advisory Committee (HLAC)
Summary Minutes for February 14, 2019

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

1. **Call to Order:** The meeting was called to order at 2:37 PM.
2. **Public Comment:** Jill Ray from District II - Supervisor Candace Andersen's office present
3. **Approval of Summary Minutes for November 8, 2018 Meeting:** Melissa Jacobson moved to approve the minutes, Melinda McCrary seconded. The minutes were approved: all Ayes (Jensen, Jacobson, McCrary, Bhat), 0 Nays

4. **Discussion Items:**

A. Establishing Town of Valona Historic District Boundaries

- **Description of Valona Historic District: County Historic Resources Inventory (HRI), page 33**
"A small town that once occupied the eastern portion of the township of Crockett. Valona was originally laid out by Dr. John Strentzel in 1882, shortly after Thomas Edwards laid out Town of Crockett. It occupied four square blocks and has easy access to Port Street and the tracks. Dr. Strentzel owned the hill and land on the east side of Crockett Ranch. Valona was a separate town with several stores and a school, although it had no post office or rail stop. Valona was slowly incorporated into the Crockett township."
- **Town of Valona: County Assessor's parcel pages 12-18 of book 354** – available on the County Assessor's website <http://www.contracosta.ca.gov/4650/ParcelQuest-Disclaimer>
- **Map of the Town of Valona: Blocks A-J, and Blocks 1-35 (1913)** - attached
- **Map of the Town of Valona: Blocks A-J (1883)** - attached
 - Melinda McCrary moved to accept the area delineated in the 1883 map as the Valona Historic District boundaries, Melissa Jacobson seconded. The motion was approved: all Ayes (Jensen, Jacobson, McCrary, Bhat), 0 Nays
 - This map is the earliest map the Crockett Historical Society has for Valona
 - The Crockett Historical Society did not come forward with any additional information or materials, and did not voice an interest to see the boundaries of the Valona Historic District expanded upon.

- This map was decided upon because of the following:
 1. The map was recorded in 1883, and the HRI denotes Valona originally established in 1882
 2. The map includes all of the markers described in the HRI

B. Revisions to County Historic Resources Inventory (HRI)

- **The SP Railroad Station located in Danville is not in the HRI**
 - The SP Railroad Station is located within the Town and Danville and therefore outside of the County's land use jurisdiction
 - It is not appropriate to add new historical resources to the HRI that are located within a city jurisdiction
 - There are currently resources listed in the HRI that are located within city jurisdictions because those areas were unincorporated at the time of the resources inclusion to the HRI
 - It is suggested by the HLAC members to make it distinct which resources in the HRI are within a city jurisdiction
- **Recent additions to the HRI**
 - **66 Stonecastle Court, Alamo**
 - **67 Stonecastle Court, Alamo**
 - **2067 Alameda Diablo, Diablo**
 - The HRI language and formatting for the above three historical resources were approved by the HLAC members at their November 8, 2018 meeting
- **Revisions to descriptions of existing resources in the HRI**
 - **1925 Alameda Diablo, Diablo**
 - **3045 Rach Land, Bethel Island**
 - **4090 Gateway Road, Bethel Island**
 - The HLAC members do not wish to add or alter any existing content to the SIGNIFICANCE/IMPORTANCE descriptions for the above three historical resources in the HRI
- **Labeling Unincorporated and Incorporated**
 - Potential content to be included to the HRI (attached), research conducted by the Department of Conservation and Development, Community Development Division staff
 - It is suggested by HLAC members to include the word *unincorporated* for all historical resources not located within a city jurisdiction

C. Applications for Nomination to the County Historic Resources Inventory (HRI)

- **Application format**

- The inclusion to require a completed California Department of Parks and Recreation 523 form, a Secretary of Interior's Standards analysis, and an Integrity analysis, was approved by the HLAC members at their November 8, 2018 meeting

- **Required submittal materials**

- In regards to the continued item of whether or not to require property owner's signature for solely historic nomination applications: Melinda McCrary moved to not require the property owner signature to submit an application to solely nominate a historical resource to the HRI to be consistent with Federal and CA State procedure, Melissa Jacobson seconded. The motion was approved: all Ayes (Jensen, Jacobson, McCrary, Bhat), 0 Nays

- **Fees**

- The HLAC members left it in the hands of the Department of Conservation and Development (DCD) as it is their application process and as such not in the purview of the HLAC

D. Resolution to the Board of Supervisors to honor Stephen Lawton, former Chair of the HLAC

- Melissa Jacobson moved to accept the resolution to honor Stephen Lawton with the information provided by HLAC staff, and include the information provided by Chair Carol Jensen and Vice Chair Melissa Jacobson, Melinda McCrary seconded. The motion was approved: all Ayes (Jensen, Jacobson, McCrary, Bhat), 0 Nays

E. Potentially providing a memo to City Departments and/or respective Municipal Advisory Councils (MACs) in relation to resources listed in the County Historic Resources Inventory (HRI) that are located in their jurisdiction

- Providing such a memo would be considered representing the Board of Supervisors without their consent and therefore cannot be executed
- HLAC members to look into which city jurisdictions have their own historic inventory and/or their own governing body for historical resources

F. Schedule next special HLAC meeting in relation to the General Plan Update

- HLAC members chose March 27, 2019 at 3:00 PM to meet and invite Principal Planner Will Nelson

5. Committee Member's Comments

- HLAC will further discuss General Plan update at HLAC May meeting

6. Next Agenda Discussion: Thursday, March 27, 2019 at 3:00 PM

The meeting adjourned at 3:37 PM.

Attachments: Map of the Town of Valona (1913); Map of the Town of Valona (1883); Potential content to be included to the HRI; and content for Stephen Lawton resolution



**CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION
30 MUIR ROAD
Martinez, CA 94553
Telephone: (925) 674-7888**

TO: Jason Crapo, Deputy Director of County Building Division

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

DATE: August 26, 2019

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

The Historical Landmarks Advisory Committee (HLAC) believes that the current and proposed fees of \$1,000 deposit and time + materials required to submit and process applications to nominate potential historical and cultural resources to the County's Historic Resources Inventory (HRI) are a deterrent to public participation in the program.

The HLAC voted at their meeting held on August 8, 2019 to make a formal recommendation to the Board of Supervisors to reduce these fees to encourage organizations or individuals to nominate potential resources to be designated to the HRI.

Sincerely,



HLAC staff
Dominique Vogelpohl

Alameda County Historic Preservation Ordinance

Presentation by:

Ray O'Brien

HLAC Meeting, Nov. 14, 2019

How is the Commission Constituted?

- Nine Member Commission
- Represent Supervisorial Districts
- Staggered Terms
- Also has jurisdiction over Parks and Recreation

Purview

- Ensure that all historical properties within the unincorporated areas of the County are recognized
- Participate in activities to promote historic preservation throughout the County
- Make recommendations to government agencies regarding historic preservation
- Includes consultation with BOS regarding preservation of documents and artifacts

Purview (Continued)

- Conduct surveys and studies of historic properties
- Collaborate with other organizations to support history and culture of County
- Review requests for historical zoning
- Advise Planning Commission/BOS regarding historical significance of properties
- Review nominations for designation and proposals for deletions from Register

Purview (Continued)

- Maintain, Update Register
- Make recommendations regarding land development proposals in Historic Districts
- Review/make recommendations on Certificates of Appropriateness
- Advise County on reviews required for CEQUA, NEPA, NHPA
- Advise County on available incentives, including:

Purview (Continued)

- Acquisition of Development Rights
- Preservation Easements
- Land Use
- Zoning Development Restrictions
- Penalties & Sanctions
- Fee Adjustments
- Negotiated Settlements

Purview (Continued)

- Assume duties assigned by BOS regarding Certified Local Government provisions of NHPA

What does the Ordinance address?

- How the Register is defined
- How properties can be added to the Register
- What alterations are subject to review
- Incentives that may apply to historic properties
- Identify, encourage, and protect significant structures, sites, resources, properties

What does the Ordinance Address?

- Those of Historic Nature
- Those of Significant Architectural Nature
- Those of a Prehistoric Nature
- Those of a Cultural Nature

Ordinance Stipulations

- Glossary of Terms
- County Maintains “Surveys”
 - “. . . identify and protect potentially historic resources”
 - Ensure preservation, protection, enhancement, perpetuation “to fullest extent feasible”
 - Encourage “maintenance/rehabilitation”
 - Encourage development that sensitively incorporates retention, preservation, reuse

Ordinance Stipulations (Cont.)

- Surveys
- By competent architectural historian as outlined by Secretary of the Interior definition
- Surveys used to create “Inventory of Potential Historic Resources”
- Will incorporate and include Environmental Impact Reports or Negative Declarations

Alameda County Register

- County Maintains an Official County Landmark Register
 - Includes Contributing Resources and Structures
- At the Initiation of the Ordinance all property owners on the Register are notified of the special status of their property.
- Have any CCC landmarks been significantly altered to render them ineligible for landmark status?

Alameda County Register (Cont.)

- Nominations for an Historic District must be accompanied by a vote of 51% of the property owners in favor of the historic district
- For historic districts, the whole, taken together, is of greater value than the individual value of structures
- Structure of Merit vs a Contributing Structure
- None of the duplication we have in CCC

Deletions from Registry

- Any deletion must be approved by the Board of Supervisors
- Deletion application cannot be the result of any illegal activity or willful neglect

Nominations

- Can only be initiated with the written approval of the property owner
- Application includes CA State Parks & Rec Series 23 forms
- Non-refundable filing fee
- Pending a decision on landmark status (approval or deletion), structures shall be afforded all protections as if it were already a landmark

Nominations (Cont.)

- Commission has sixty days to consider an application
- No action within specified time, the application can go directly to the BOS
- No action by Commission, BOS, and no escalation by owner, means application denied
- Planning Commission may chime in

Nominations (Cont.)

- Public Hearing Notice on Addition or Deletion from Registry shall be published at least 10 days prior to the hearing date
- Final Decisions shall be recorded in the Records of the County Recorder
- Decision shall be a disclosure statement to be included in any future transfer or sale documents

Nominations (Cont.)

- Limitations on time frame for a re-nomination or another deletion application
- Planning Director makes a “preliminary determination” for any structure over fifty years of age (that as of yet has no status)
- Preliminary Eligibility means a “Certificate of Appropriateness” will be required of the Owner

Certificate of Appropriateness

- Required for demolition, alteration, or relocation, or new construction
- Does not apply to preventive maintenance or interior work
- Application goes to Planning Department
- Then forwarded to the Commission for consideration
- Final decision is made by Planning Director

COA (Cont.)

- Decision conditioned on:
 - Secretary of the Interior Standards
 - California Historical Building Code
 - California Health & Safety Code
- Integrity of the Resources must be maintained
- “Essential Elements” must be maintained
- Exterior features of new construction must be compatible

COA (Cont.)

- COA may be covered by “Small Project Review”
 - Removal of Non-Contributing Features
 - Improvements to Exterior that do not change features (e.g., new roof, windows, doors), but maintain compatibility
 - Small additions less than 200 sq. ft.

COA (Cont.)

- COA good for only 180 days for demolition
- COA good for three years for an alteration
- Extensions for the above established
 - Discretion of Planning Director/Planning Staff
- Modification shall be considered to be a new application for a COA
- Building Officials may not make final decisions; need to be forwarded to Director or Commission

County Projects

- County Projects are subject to the same stipulations as private development projects
- BOS may exempt individual County Projects

Appeals

- Appeal of a decision must be made within ten days to the BOS

Dangerous Historic Structures

- Building Official notifies Planning Director
- Also applies to a substandard structure
- County retains authority allow abatement measures to any unsafe, immediately dangerous structure
- Only work that is “reasonably necessary” will be allowed

Deletions from Registry

- Lawfully demolished structures or severely damaged structures (“loss of significant features”) shall be removed from the Registry
- In such cases, there will be no further encumbrances on the property
- For an Historic District, the new replacement structure will be listed as a “non-contributing”

Incentives for Preservation

- Commission shall develop and implement economic programs to promote preservation, rehabilitation, Certificates of Appropriateness
- Recommends approval of programs to BOS
- County participates in Mills Act grants
 - Application to Planning Department
 - Approval goes directly to BOS (bypasses Commission)
 - Denial/Failure of BOS to approve means a one year abstention from reapplication

Maintenance Requirements

- Owner must comply with all codes
- Prevent decay/destruction “to the greatest extent possible”
- Goal is to prevent neglect of structure
- Applies to interior of structure as well
- Specific stipulations of applicable concerns
- Neglect is initially handled by a meeting with the Planning Director
- Neglected landmark is not eligible for a Certificate of Appropriateness
- Commission may require Planning Director to take corrective action
- Corrective action, up to and including full reconstruction to original condition, may be required
- 24 month moratorium on new development plans for an alteration or demolition of a Landmark (to determine required mitigations)

Demolition/Alteration Penalties

- Demolition— $1/2$ of the assessment value of the destroyed structure
- Alteration— $1/2$ of the cost of reconstructing the altered portion of the structure
- County Counsel may take injunctive relief up to and including replacement/reconstruction

Miscellaneous

- BOS shall establish Landmark application fees
- Should any portion be found to be unlawful, it shall not invalidate other provisions of this ordinance
- If any conflict arises, State and Federal provisions shall take precedence over this ordinance

Other Local Jurisdictions' Fees for Submitting and Processing Historic Nomination Applications

City	Historic Nomination	Fee waiving policy
Martinez	N/A	-
Walnut Creek	N/A	-
Antioch	N/A	-
Pinole	N/A	-
Concord	\$3,000(d) + TM	No fee waiving program
Richmond	\$2,500(d) + TM	No fee waiving program
Lafayette	\$0	No fee waiving program (nothing to waive)
Vallejo	\$3,266 flat	-
City of Oakland	\$0	No fee waiving program (nothing to waive)

KEY:

N/A: Jurisdiction does not have a process in place

(d): Fee deposit

TM: Time and materials