

TWIC MEETING

Monday
February 24, 2025

Regulation of
Historical Resources
– Part 1



Examples of Historic Buildings within the County Listed in the Historic Resources Inventory

Crockett and Port Costa - unincorporated



C & H Sugar Company (1884), Crockett



Burlington Hotel which (1883), Port Costa



Warehouse cafe (1886)
Port Costa, CA

East Contra Costa - unincorporated

Byron Hot Springs, Byron (1914)



Nail Ranch house (1860), Knightsen



Bethel Island Fire Station (1951), Bethel Island



John Marsh House (1856) Brentwood

Diablo - unincorporated



Red Horse Tavern (1917)



Diablo Post Office (1917)



Diablo Country Club (1914)

Martinez and Richmond – city Antioch - unincorporated



Tucker House (1877)
Martinez *left*



Winehaven (1907)
Richmond *right*



Arata Ranch in Black Dimond Mines (early 1900s) Antioch

Walnut Creek, Danville and Concord - city



Shadelands Ranch (1856), Walnut Creek



Don Francisco Galindo House
(1856) Concord



Danville Railroad Depot (1891), Danville

Pittsburg – city



Pittsburg Seventh Day Adventist Church (1919)



California Theatre (1920)

Background

- July 5, 1966: The Board combined the County Parks and Recreation Commission and the County Historical Society to form the County Historical Landmarks Advisory Committee (HLAC).
- July 20, 1976: The Board designated the Planning Department Director to assist the HLAC in creating of the first Historic Resources Inventory (HRI).
- The HLAC ceased meeting when the County Parks and Recreation Commission was dissolved.
- February 12, 2002: The HLAC was re-established by the Board to include four members of the Contra Costa County Historical Society and the Contra Costa County Community Development Director.
- The purpose of the HLAC is to advise the Board on matters relating to the identification and preservation of historical resources within the County, including identifying eligible sites and places to be listed in the HRI.

County Historic Resources Inventory (HRI)

- Established in 1976.
- 379 resources listed in the HRI – located in unincorporated communities and incorporated cities.
- Available on the HLAC webpage: <https://www.contracosta.ca.gov/DocumentCenter/View/1116/Historic-Resources-Inventory-HRI?bidId=>
- There are 5 historic districts recognized within the County: Diablo, Knightsen, Port Costa, portion of Loring Ave in Crockett, and town of Valona (located in Crockett).
- Since the HLAC was reinstated in 2002, 8 resources have been added to the HRI:
 - Bethel Island Fire Station, 3045 Ranch Lane, Bethel Island
 - Eugene Bridgford House, 4090 Gateway Road, Bethel Island
 - Clubhouse to the former Mount Diablo Park Club, 1925 Alameda Diablo, Diablo
 - English Tudor residence, 2067 Alameda Diablo, Diablo
 - Rosebrook Estate, 66 and 67 Stonecastle Court, Alamo
 - Diablo Historic District
 - Knightsen Historic District
- Nomination process: application reviewed by DCD and presented to the HLAC; if HLAC recommends approval, item will be brought to the Board for approval.
- What does an HRI listing do?
 - Helps ensure that historical resources are considered when processing a discretionary application, and
 - Qualifies a property for a Mills Act Agreement.

Reason for Presenting to TWIC

- During the General Plan update, the HLAC members collaborated with the other County Historical Societies, and met with Envision 2040 staff, to craft recommendations for County policies and actions items pertaining to County historical resources.
- These recommendations became policies 10.1-10.5 and action items 10.1-10.2 of the Conservation, Open Space, and Working Lands Element (Chapter 7) of the new General Plan.
- On August 15, 2023, the HLAC went in front of the Board to request the County adopt a Historic Preservation Ordinance.
- The Board directed DCD to provide analysis of this topic to TWIC.

New General Plan: Chapter 7 – Policies

- COS-P10.1 Prioritize preservation and adaptive reuse of buildings, sites, and areas having identifiable archaeological, cultural, or historic significance. Require new construction and renovation projects in historic areas to incorporate compatible and high-quality design that protects the overall historic integrity of the area and adjacent historic resources.
- COS-P10.2 Encourage sensitive restoration and adaptive reuse of historic resources following the Secretary of the Interior's Standards for the Treatment of Historic Properties, including additions and alterations to buildings that do not diminish historic integrity.
- COS-P10.3 Encourage owners of historic properties to make use of the State of California Historic Building Code to protect and rehabilitate historic resources.
- COS-P10.5 When a project involves a resource that is listed in the County's Historic Resources Inventory, or as otherwise necessitated by the CEQA process, require applicants to engage a qualified consultant to prepare an evaluation of potential and previously identified archaeological, cultural, and historic resources that may be present on the project site.

New General Plan: Chapter 7 – Action Items

- COS-A10.2 Evaluate and implement one or more measures to protect and preserve historic and cultural resources, such as a historic and cultural resources ordinance, overlay district, and/or design guidelines.
- COS-A10.1 Beginning in 2024, then every five years thereafter, review and update the County's Historic Resources Inventory and Archaeological Sensitivity Map in consultation with culturally affiliated tribes to ensure these remain useful tools for evaluating potential cultural resources impacts and guiding preservation efforts. As part of the 2024 update to the Historic Resources Inventory, create a map of the listed historic resources, and update the map upon each update to the Historic Resources Inventory. Ensure tribal cultural resources identified through these updates remain confidential.

Current Tools for Regulating Historical Resources

The CA Environmental Quality Act (CEQA)

CEQA is a state law that requires disclosure of potential significant impacts of an action and requires mitigation of any significant impacts.

- CEQA applies to discretionary actions such as:
 - Subdivisions
 - Land Use Permits
 - Development Plans
 - Variances
 - Tree Permits
 - Small Lot Design Review
- Ministerial actions are not subject to CEQA i.e. building permits such as:
 - alterations
 - additions
 - demolition
- 15064.5 Historical Resource*: A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.
- Established lists:
 - National Register of Historic Places
 - California Register of Historical Resources
 - County Historic Resources Inventory

** Cultural Resources are included in the definition of Historical Resources*



Examples of Utilizing CEQA

Knightesen Saloon

Land Use Permit and Development Plan for the reconstruction of the Knightesen Saloon (built ca. 1900), a contributor building to the Knightesen Historic District.



CEQA Determination

Exempt under CEQA Guidelines, Section 15331, regarding “Historical Resource Restoration/Rehabilitation”

Which exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

Historical Resources Assessment prepared by Page & Turnbull provided construction techniques to ensure the project remained compliant with the Secretary of the Interior’s Standards for Rehabilitation.



RIGHT ELEVATION





1224 Ceres Street, Crockett

Land Use Permit and Development Plan to convert the ground floor retail spaces to apartment units of a contributor building (built in 1909) to the Valona Historic District.



CEQA Determination

Section 15300.2(f) of CEQA states that a categorical exemption cannot be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The exterior façade was conditioned to be retained with its existing materials and architectural detailing. The building envelope was not being altered, and the window locations and dimensions were not changing.

Exempt under CEQA Guidelines, Section 15303(c), regarding "New Construction and Conversion of Small Structures"

Which exempts the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.





Odd Fellows Hall – 641 Loring Ave, Crockett

Within the Crockett Historic District
on Loring Avenue (built in 1900).

Alteration building permit for
siding replacement.



Original design had the parapet at the rear of the building fully removed. Staff requested it be replaced.

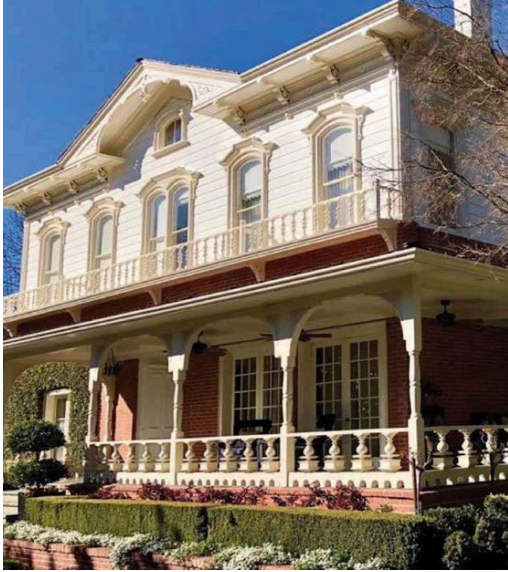
Building permit not subject to CEQA.



Mills Act Program

- The Mills Act is as economic incentive program in California for the restoration and preservation of qualified historic buildings by private property owners. The Mills Act Program is administered and implemented by local governments. Mills Act contracts are between the property owner and the local government granting the tax abatement.
- Enacted in 1972, the Mills Act legislation grants participating local governments (cities and counties) the authority to enter into contracts with owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief.
- Mills Act contracts are for 10 years initially with automatic yearly extensions and stay with the property when transferred. Subsequent owners are bound by the contract and have the same rights and obligations as the original owner who entered into the contract.

There are currently 5 Mills Act Contracts within the County



1925 Alameda Diablo, Diablo CA 94528 (2012)



66 Stonecastle Road, Alamo CA 94507 (2016)



67 Stonecastle Road, Alamo CA 94507 (2016)



2067 Alameda Diablo, Diablo CA 94528 (2016)



1897 Calle Arroyo, Diablo CA 94528 (2016)



Historic Preservation in Other Jurisdictions

| | Applicability | Who Can Nominate? | Decision Making Body | | Require to Maintain | Incentives <i>(Mills Act)</i> | Worth Noting* |
|------------|---|---|--|---|---------------------|----------------------------------|----------------|
| | overlay district: OD historic district; HD | | R: recommendation A: approval | PC: Planning Commission CC/TC: City/Town Council | | | |
| | | | Nominate | Modify | | | |
| Antioch | No Ordinance. <i>Citywide Design Guidelines Manual, Rivertown</i> | | | | | | |
| Brentwood | No Ordinance. <i>Downtown Specific Plan</i> | | | | | | |
| Clayton | No Ordinance | | | | | | |
| Concord | designated resources | - property owner - majority of property owners for a district | A - PC | A - PC | X | - | SOIS |
| Danville | - citywide survey - designated resources and within HDs | - property owner - Heritage Resource Commission - any other organization | R - Heritage Resource Commission, A - TC | R - Heritage Resource Commission, A - TC | X | X | SOIS integrity |
| El Cerrito | No Ordinance | | | | | | |
| Hercules | OD designated resources and within HDs | - property owner | R - PC, A - CC | A - PC | - | - | SOIS |
| Lafayette | designated resources | - property owner - Lafayette Historical Society | R – Historical Society, A – CC | R – Historical Society, A – CC | - | - | _ |
| Martinez | OD -designated resources | - property owner - Planning Commission | A - PC | A - PC | - | - | HRE |
| Moraga | designated resources | - property owner - Town Council - Planning Commission - Design Review Board - Moraga Historical Society | R – Planning, A - TC | R - PC, A - TC | X | X | _ |
| Oakley | No Ordinance | | | | | | |
| Orinda | designated resources | - property owner - City Council upon recommendation of the Historic Landmark Committee or Planning Commission | R – Historical Committee or PC, A - TC | A (minor) – Planning , A (major) - PC | - | X | - |
| Pinole | No Ordinance | | | | | | |

| | Applicability | Who Can Nominate? | Decision Making Body | | Require to Maintain | Incentives (Mills Act) | Worth Noting* |
|---------------|--|--|--|---|---------------------|---------------------------|--------------------|
| | | | R: recommendation A: approval | PC: Planning Commission CC/TC: City/Town Council | | | |
| | | | Nominate | Modify | | | |
| Pittsburg | designated resources | <ul style="list-style-type: none"> - property owner - City Council - Planning Commission - Architectural Review Commission | R – PC, A - TC | A - PC | X | - | SOIS integrity |
| Pleasant Hill | OD | <ul style="list-style-type: none"> - property owner - City Council - Planning Commission - Architectural Review Commission | R – Arch Review Commission, A - PC | R – Planning, A - Arch Review Commission | X | X | SOIS integrity |
| Richmond | OD potential resources | <ul style="list-style-type: none"> - property owner - member of the public - City Council - Planning Commission - Historic Preservation Committee | R – Historic Preservation Commission, A – CC | A – Planning | X | X | SOIS HRE integrity |
| San Pablo | No Ordinance. <i>Historic Resource Assessment Report</i> | | | | | | |
| San Ramon | OD | <ul style="list-style-type: none"> - property owner - City Council - Planning Commission | A - PC | A - PC | X | X | - |
| Walnut Creek | No Ordinance | | | | | | |

*SOIS: Secretary of Interior’s Standards
 HRE : Historical Resources Evaluation
 Integrity: National Park Service’s Seven Aspects of Integrity – Location, Design, Setting, Materials, Workmanship, Feeling, and Association

| City | Resource Links |
|---------------|--|
| Antioch | Citywide Design Guidelines Manual, Rivertown: Chapter-2-Rivertown-Design-Guidelines.pdf |
| Brentwood | Downtown Specific Plan: Microsoft Word - Amended September 26 2017 - Reformatted DSP - Complete copy |
| Clayton | - |
| Concord | Ch 18.450 Historic Preservation: https://www.codepublishing.com/CA/Concord/#!/html/Concord18/Concord18450.html |
| Danville | Ch 32-72 Historic Preservation: https://codelibrary.amlegal.com/codes/danvilleca/latest/danville_ca/0-0-0-8918 |
| El Cerrito | - |
| Hercules | Ch 13-12 HTC Historic Town Center District: https://www.codepublishing.com/CA/Hercules/#!/Hercules13/Hercules1312.html Ch 13-20 H Historic Overlay District: https://www.codepublishing.com/CA/Hercules/#!/Hercules13/Hercules1320.html |
| Lafayette | Ch 6-21 Historical Landmarks: https://library.municode.com/ca/lafayette/codes/code_of_ordinances?nodeId=TIT6PLLAUS_PT4SPLAUSRE_CH6-21HILA |
| Martinez | Ch 22.27 - Downtown Historic Overlay District: https://library.municode.com/ca/martinez/codes/code_of_ordinances?nodeId=CD_ORD_TIT22ZO_CH22.27DOHIOVDI Ch 22.47 Historic Resource Provisions: https://library.municode.com/ca/martinez/codes/code_of_ordinances?nodeId=CD_ORD_TIT22ZO_CH22.47HIREPR |
| Moraga | Ch 8.176 Historic Preservation: https://library.municode.com/ca/moraga/codes/municipal_code?nodeId=MOCA_TIT8PLZO_CH8.176HIPR |
| Oakley | - |
| Orinda | Ch17.25 Historic Landmarks: https://library.municode.com/ca/orinda/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.25HILA |
| Pinole | - |
| Pittsburg | Ch 15.84 Preservation of Historic Structures and Establishment of Historical Districts: https://www.codepublishing.com/CA/Pittsburg/#!/Pittsburg15/Pittsburg1584.html |
| Pleasant Hill | Ch 18.45 Historic Districts and Cultural Resources Districts: https://www.codepublishing.com/CA/PleasantHill/#!/html/PleasantHill18/PleasantHill1845.html |
| Richmond | Ch 15.04.303 Historic districts and landmarks overlay districts: https://library.municode.com/ca/richmond/codes/code_of_ordinances?nodeId=ARTXVZOSU_CH15.04ZOSURE_SERIES_300OVDIRE_ART15.04.303HIDILAOVDI |
| San Pablo | Historic Resource Assessment Report Historic-Resource-Assessment-Report---May-2017 |
| San Ramon | _Ch D2-31 - Landmark (-L) Overlay Zone: https://online.encodeplus.com/regs/sanramon-ca/doc-viewer.aspx?secid=4580&keywords=historic#secid-4580 |
| Walnut Creek | - |

| | Applicability | Who Can Nominate? | Decision Making Body | | Require to Maintain | Incentives (Mills Act) | Worth Noting* |
|---------------|---|--|---|--|---------------------|---------------------------|-------------------|
| | | | R: recommendation A: approval | PC: Planning Commission Board of Supervisors: BOS | | | |
| | | | Nominate | Modify | | | |
| Alameda | designation and potential resources | <ul style="list-style-type: none"> property owner majority of property owners for a district Parks, Rec and Historical Commission Board of Supervisors *All require property owner authorization | R - Parks, Rec and Historical Commission A - Board of Supervisors | A (Minor) – Planning R (Major) - Parks, Rec and Historical Commission A (Major) – Planning | x | X | Integrity HRE |
| Contra Costa | No Ordinance. <i>Nomination to HRI through R – HLAC, A – BOS</i> | | | | | | |
| Marin | No Ordinance. <i>-Local Coastal Program – designated historic area in Coastal Zoning District that requires approval of the historic review checklist for new development</i> | | | | | | |
| Napa | No Ordinance. <i>-City of Napa – Ch 15.42 Historic Preservation Ordinance</i> | | | | | | |
| San Francisco | designated resources and within HDs | <ul style="list-style-type: none"> property owner majority of property owners for a district member of the public Planning | R - Historic Preservation Commission R (districts) - Historic Preservation Commission, PC A – BOS | A (Minor) – Planning A (Major) - Historic Preservation Commission | X | X | SOIS |
| San Mateo | designated resources | <ul style="list-style-type: none"> property owner member of the public | R – Historic Resources Advisory Board R - PC A - Board of Supervisors | R – Historic Resources Advisory Board A - PC | X | - | - |
| Santa Clara | OD designated resources and within HDs | <i>already designated ODs</i> | R - Historical Heritage Commission A - BOS | R - Historical Heritage Commission A - BOS | - | - | - |
| Solano | designated resources | <ul style="list-style-type: none"> property owner Cultural Heritage Commission | R - Cultural Heritage Commission, A - local legislative body | R - Cultural Heritage Commission, A - local legislative body | - | - | - |
| Sonoma | OD designated resources and within HDs | <ul style="list-style-type: none"> property owner Landmarks Commission | A - Landmarks Commission | A – Planning A (demo) - Landmarks Commission | - | - | design guidelines |

*SOIS: Secretary of Interior’s Standards
 HRE : Historical Resources Evaluation
 Integrity: National Park Service’s Seven Aspects of Integrity – Location, Design, Setting, Materials, Workmanship, Feeling, and Association

| City | Resource Links |
|---------------|--|
| Alameda | Ch 17.62 Historic Preservation: https://library.municode.com/ca/alameda_county/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.62HIPROR |
| Contra Costa | Historic Resources Inventory: Revised Preliminary |
| Marin | Local Coastal Program Historic Review Checklist: historic_chklist-6415.pdf |
| Napa (city) | Ch 15.52 Historic Preservation: City of Napa, CA HISTORIC PRESERVATION |
| San Francisco | Article 10 Preservation of Historical Architectural and Aesthetic Landmarks: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_planning/0-0-0-27871 Ch 71 Mills Act Contract Procedures: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_admin/0-0-0-20001 |
| San Mateo | Ch 7 Historic Preservation: https://www.smcgov.org/media/74421/download?inline= |
| Santa Clara | Ch 3.50 Historic Preservation Combining Districts: https://stgenpln.blob.core.windows.net/document/ZonOrd.pdf#0-TOC |
| Solano | Ch 26 Cultural Heritage Preservation: Chapter 26 CULTURAL HERITAGE PRESERVATION |
| Sonoma | Article 68 HD Historic Combining District: https://library.municode.com/ca/sonoma_county/codes/code_of_ordinances?nodeId=CH26SOCOZORE_ART68HDHICODI |

Questions/Direction?

Thank You!