ORDINANCE NO. 937

AN ORDINANCE ESTABLISHING THE
CULTURAL HERITAGE COMMISSION OF
CENTRAL SOLANO COUNTY
The Board of Supervisors of the County of Solano, State of California, do ordain as follows:

SECTION 1.

Chapter 6.1 is added to the Solano County Code to read as follows:

Chapter 6.1

Cultural Heritage Commission of Central Solano County.

Section 1. Title.

Chapter 6.1 entitled "Cultural Heritage Commission of Central Solano County" is hereby added to the Solano County Code.

Section 1.5. Findings.

The Solano County Board of Supervisors finds that historic, archeological, and cultural objects and sites are being destroyed, substantially altered or threatened as Central Solano County is being developed, and finds that it is in the public interest to preserve some of these sites and objects and to provide a method for their preservation. The Solano County Board of Supervisors finds that the general welfare of the inhabitants of Central Solano County is promoted through the preservation and protection of historic, archeological or cultural monuments, sites, objects, structures, buildings or other areas so designated, and also finds that such buildings, sites, monuments, and structures constitute an educational benefit to the young people of the community and the young people visiting the community in that it provides some link and relationship with the past.

Section 1.6. Cooperation Between Political Entities.

The Solano County Board of Supervisors intends to establish a Cultural Heritage Commission of Central Solano County as a cooperative effort with the cities of Fairfield and Suisun City. Each of these political entities, by separate ordinance, shall empower the Commission. The County of Solano will cooperate with the Cities of Fairfield and Suisun City in ensuring that there is compliance with the intent of this ordinance.

Section 2. Cultural Heritage Commission.

Section 2.10. Commission Membership.

There is hereby created in Central Solano County, an area defined as being included within the boundaries of the Fairfield-Suisun and Travis Unified School Districts, a Cultural Heritage Commission composed of nine (9) members. The membership of the Commission shall be three (3) members residing in the unincorporated areas of Central Solano County, three (3) members residing in the City of Fairfield and three (3) members residing in Suisun City appointed by the legislative bodies having jurisdiction therein providing, however, that each legislative body may, if necessary, appoint members having a particular expertise in cultural heritage preservation from an area to include Solano, Yolo and Napa Counties.

Section 2.20. Members Term of Service.

Members of the Cultural Heritage Commission shall serve for a period of two (2) years, but may be reappointed in the same manner as they were appointed. Members shall serve at the pleasure of the appointing authority and may be removed by the appointing authority without cause. All vacancies shall be filled by appointment for the remainder of that term.

Section 2.30. Powers and Duties of Commission.

The Cultural Heritage Commission shall serve in an advisory capacity to the local legislative bodies and shall have the following powers and duties:
(a) **Inspections.**

The inspection and investigation of any site, building, structure or area in the Central Solano County area which it has reason to believe is or will in the near future be a historic, archeological or cultural monument. Such inspections and investigations on private property shall only proceed with the owner's permission.

(b) **Preservation List.**

The research, maintenance and adoption of a recommended current Cultural Heritage Preservation List for Central Solano County of all such sites, buildings, structures or natural features which it has determined from such inspections and investigation to be historical, archeological or cultural monuments. Such lists shall contain a brief description of the site, building or structure, and the reasons for its inclusion in the lists. The commission shall make its recommendation for the adoption of the list by the local legislative bodies having jurisdiction.

(c) **Publication.**

The publication and transmission to all interested parties of such lists, including the dissemination of any public information concerning the list or any site, building or structure contained herein.

(d) **Protection of Monuments.**

Take all steps necessary to preserve such monuments that are not in conflict with the public health and safety and general welfare, or the powers and duties of the County of Solano, the Cities of Fairfield and Suisun City, or the boards, officers, or departments. Such steps may include the creation of a civic and citizens committees; the establishment of a private fund for the recommended acquisition or restoration of such monuments; the recommendation that such monuments be acquired by a governmental agency where private acquisition is not feasible; and the recommendation that protective zoning be established by the legislative bodies having jurisdiction.

(e) **Plan.**

Make a Cultural Heritage Preservation Plan for central Solano County showing the cultural, archeological and historic monuments to be preserved, including priorities and policies and regulations directed toward such preservation to be recommended for adoption in independent actions by the Board of Supervisors and the City Councils of Suisun City and Fairfield.

(f) **Recommendations.**

Make any recommendations to the Board of Supervisors and the City Councils in connection with the exercise of its said powers and duties which it determines is necessary. The Board of Supervisors and the City Councils shall take action thereupon as each determines will implement or carry out the spirit and intent of this ordinance.

Section 2.40. **Historical or Cultural Monument Defined.**

For the purposes of this ordinance, a historical, archeological or cultural monument is any site (including significant trees or other natural features) buildings, structure or area of particular historic, archeological or cultural significance for the Central Solano County area, such as historic or archeological structures or sites in which the broad cultural, political, economic or social history of the nation, state or community is reflected or exemplified; or which are identified with historic personages or with important events in the main trends of national, state or local history; or which embody
the existing characteristics of an architectural type specimen, inherently valuable for a study of a period style or method of construction; or a notable work of a master builder, designer or architect whose individual genius influenced his age.

Section 2.50. Responsibility of Commission to Provide Notice.

The Cultural Heritage Commission shall transmit to and maintain with the respective county and city departments of planning, building, recreation and parks, public works, the urban renewal agency and the various school district, current copies of the Cultural Heritage Preservation list. The Commission shall also notify the owner of each building, structure or site in writing of the fact that his property is recommended for inclusion on the list and shall give such person written notice of any further action which it takes with respect to such property. For purposes of this section, the owner of such property shall be deemed to be the person appearing as the owner of such property on the last equalized assessment role of the County of Solano. Such notice shall be mailed to the address shown on the said assessment roll as soon as practical after the property is included in the list or the Commission takes any further action regarding it. The owner may appeal any such action taken by the Cultural Heritage Commission to the Cultural Heritage Commission or the City Councils, or Board of Supervisors having jurisdiction at public hearings as described in Section 2.60.

Section 2.60. Adoption of Cultural Heritage Preservation Lists or Plans for Central Solano County.

The Cultural Heritage Commission shall develop a tentative Cultural Heritage Preservation List and then hold at least one public hearing to affirm, modify or rescind its recommendations concerning Cultural Heritage Preservation Lists or Plans. The Commission shall give notice thereof by at least one (1) publication of such notice of public hearing in a newspaper of general circulation within the area, as defined in Section 2.10, at least TEN (10) DAYS prior to the public hearing, and shall give the property owner the notice set forth in Section 2.50. The Commission shall forward its recommendations following the above public hearing(s) to the legislative bodies having jurisdiction. The legislative bodies shall give notice to affected property owners and hold at least one public hearing to consider such recommendations.

Section 2.70. Demolition Restriction on Issuance of Demolition Permits, Building Permits, or other Permits Providing for Substantial Alteration on Property.

No permit for the demolition, substantial alteration, or removal of any building, structure or site contained in said list shall be issued, and no such site, building or structure shall be demolished, substantially altered or removed by the cities or county, or urban renewal agencies without first referring the matter to the Cultural Heritage Commission, except where the County or City agencies having jurisdiction determine that the demolition, removal or substantial alteration of any such building, structure or site is immediately necessary in the interest of public health, safety or general welfare.

Section 2.80. Responsibilities of Commission Upon Notification of Proposed Demolition or Major Alteration; Time Limits.

Where such matters are referred to said Commission, the Commission shall have TWENTY (20) DAYS from the date of such notification within which to object to the proposed demolition, major alteration or removal. If no such objection is filed with the appropriate department or board within the said TWENTY (20) DAYS, all such objections shall be deemed to
have been waived by the Commission.

Section 2.90. Right of Commission to File Objections; Time Limits.

If the Cultural Heritage Commission objects to the proposed demolition, major alteration or removal, it shall, after having given notice as provided in Section 2.50, file its objections with the appropriate county or city department or board. The filing of such objections shall suspend the issuance of such permit, the demolition or major alteration of such building or structure or the removal of such site, for a period of not less than THIRTY (30) DAYS and not more than ONE HUNDRED EIGHTY (180) DAYS during which time the Cultural Heritage commission shall take such steps within the scope of its powers and duties as it determines are necessary for the preservation of the site, building or structure to be demolished, altered or removed. At the end of the first THIRTY (30) DAYS, said Commission shall report its progress to the board of supervisors or city council having jurisdiction, which may, upon review of the progress report and following a public hearing, withdraw and cancel the objection, or affirm or modify the suspension period of the proposed demolition, major alteration or removal. If the board of supervisors or city council having jurisdiction determines, upon the basis of said progress report and hearing to withdraw and cancel any such objections, it shall promptly notify the department or board concerned of its action. Upon receipt of such notification, the permit may be issued and the building, structure or site may be demolished, altered or removed as the case may be.

Section 2.100. Right of Commission to Request Time Extensions; Time Limits.

If prior to the expiration of the original suspension period it is found that the preservation of the site, building or structure cannot be fully accomplished within the initial suspension period, and the Cultural Heritage Commission determines that such preservation can be satisfactorily completed within an additional period not to exceed 180 days, the Commission may recommend to the board of supervisors or city council having jurisdiction that the suspension period be extended. Such recommendation shall set forth the reasons therefor, and the progress to that date of the steps taken to preserve the monument. The board of supervisors or city council having jurisdiction may accept such recommendation for good cause shown, if it appears that preservation may be completed within the time requested and granting such extension is in the best interests of the public health, safety and welfare, and may instruct the appropriate department or board to further withhold the permit for a period of time not to exceed 180 days. The department or board to which such a request is made, shall comply with such instruction. No such request for extension shall be considered or acted upon after the expiration of the original suspension period as set forth in Section 2.90.

Section 2.110. Limitation of Powers and Rights.

The Cultural Heritage Commission shall have no power or right to acquire any property, nor acquire or hold any money for or on behalf of itself or the County of Solano.

Section 2.120. Authority of Commission to Make Plans, Lists, Rules and Regulations.

Said Commission may make such plans, rules, regulations, policies and criteria as necessary to carry out the purpose and intent of this ordinance.
Section 2.130. Selection of Chairman; Constitution of a Quorum and Majority Actions.

The Commission shall select a chairman from its membership annually. Five (5) members shall constitute a quorum. The Commission shall act by a majority vote of its members present.

Section 2.140. Responsibilities of Other Boards and Commissions.

All boards, commissions, departments, and officers of the County of Solano shall cooperate with said Commission in carrying out the spirit and intent of this ordinance.

Section 2.150. Commission Funding and Staff Assistance.

The Solano County Board of Supervisors shall work with the Cities of Fairfield and Suisun City to provide funds and personnel that the Commission may require to perform its functions.

SECTION II.

This ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the Daily Republic, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage, or concurrently with the effective dates of identical ordinances by the cities of Fairfield and Suisun City, whichever date is later.

ATTEST:

NEIL CRAWFORD, County Clerk
and ex officio Clerk of the Board of Supervisors

by /s/ Garland Dunham

deputy clerk

I, NEIL CRAWFORD, County Clerk and ex officio Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing ordinance was regularly introduced at a regular meeting thereof held on the 11 day of May, 1976.

On the motion of Supervisor Hannigan and the second of Supervisor Brann, this Ordinance was adopted at a regular meeting of said Board this 18 day of May, 1976, the following vote:

AYES: SUPERVISORS: BRAZELTON, HANNIGAN, HILLYARD, SCOFIELD AND BRANN

NOES: SUPERVISORS: NONE

ABSENT: SUPERVISORS: NONE

WITNESS my hand and the Seal of said Board this 18 day of May, 1976.

NEIL CRAWFORD, County Clerk

By /s/ Deputy clerk