

SEP 26 1988

D

ORDINANCE NO. 1648

AN ORDINANCE ADDING A NEW CHAPTER 2.38 TO THE
TUOLUMNE COUNTY ORDINANCE CODE ESTABLISHING
AN HISTORIC PRESERVATION
REVIEW COMMISSION

- oOo -

The Board of Supervisors of the County of Tuolumne ordains as follows:

SECTION 1: A new Chapter 2.38 is hereby added to the Tuolumne County Ordinance Code to read as follows:

Chapter 2.38

HISTORIC PRESERVATION REVIEW COMMISSION

2.38.010 Establishment of Commission. There is hereby established a commission to be known as the "Historic Preservation Review Commission".

2.38.020 Membership. The commission shall consist of seven (7) members with all members having demonstrated interest, competence, or knowledge in historic preservation. Commission members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archeology, or other historic preservation related disciplines, such as urban planning, American studies, American civilization, cultural geography, or cultural anthropology, to the extent that such professionals are available in the community. Commission membership shall also include lay members who

[REDACTED]

have demonstrated special interest, competence, experience, or knowledge in historic preservation, American studies, cultural anthropology, cultural geography, or other historic preservation related disciplines. Effort will be made to fill the positions on the commission with professional and lay members as highly qualified, and representing as diverse arrange of disciplines as possible.

2.38.030 Terms - appointment. Commission members shall be appointed by the chairman of the board of supervisors upon approval by the board of supervisors. The chairman of the board of supervisors shall make interim appointments to fill unexpired terms in the event of vacancies occurring during the term of members of the commission. The county shall act within sixty (60) days to fill a vacancy. Terms of office of the commission members shall be staggered. Except for the terms of office of the first members of the commission, the term of office of each member shall be for three (3) years and until the appointment of his successor. At the first meeting of the commission, the members shall classify themselves by lot so that two (2) members shall have a term of office of one (1) year, two (2) members shall have a term of office for two (2) years, and three (3) members shall have a term of office for three (3) years.

[REDACTED]

2.38.040 Commission Meetings. The commission shall meet at least four (4) times per year, with Meetings held at regular intervals, in a public place, advertised in advance, and open to the public, pursuant to the California Open Meeting Act. Written minutes of commission meetings shall be kept on file and available for public inspection.

2.38.050 Continuing Education. Each commission member is required to attend at least one (1) informational or educational meeting, seminar, workshop, or conference per year that pertains directly to the work and functions of the commission and would be approvable by the State.

2.38.060 Special Expertise. If a special expertise is not represented on the commission for the consideration of National Register nominations or other actions which are normally evaluated by a professional in such discipline, the commission shall obtain professional technical expertise from established organizations, institutions, public agencies or other commissions, such as the State Office of Historic Preservation, State Historical Resources Commission, Regional Archeological Information centers, colleges or universities, AIA Preservation Officers, private preservation consultants, or regional counsels of government.

2.38.070 Chairman - Rules and Regulations. The members of the commission shall annually elect a chairman who shall serve for a term of one (1) year. A commission

shall make such rules and regulations as are necessary to conduct its business.

2.38.080 Compensation. The members of the commission shall serve without compensation, but may receive actual and necessary expenses as are incurred in carrying out their duties.

2.38.090 Duties. The Historic Preservation Review Commission is charged with the following duties:

A. The commission shall maintain a system for survey and inventory of historic properties. The commission shall be responsible for organizing, developing, and administering an inventory of cultural resources within the County of Tuolumne. The commission shall develop procedures for conducting an inventory of cultural resources. Survey activities shall be coordinated with and complementary to the State program to ensure that survey results produced by the commission will be readily integrated into the state-wide comprehensive historic preservation planning process. As part of any on-going survey effort, procedural requirements must allow for periodic update of survey results on an annual basis as buildings gain maturity and as new areas are incorporated or annexed. The commission must adopt State guidelines for conducting its inventory of historic properties. State-approved inventory forms (DPR 523), encoding sheets (DPR 660), and the California

Historic Resources Inventory Survey Workbook shall be used to facilitate integration into the Historic Electronic Data System and for State-wide comprehensive historic preservation planning purposes. Procedural standards for evaluation of properties must be consistent with the National Register of Historic Places criteria. The commission shall establish internal procedures to facilitate the use of survey results in the planning process by county officials and departments. The commission shall submit survey results to the county. Copies of the surveys shall be deposited and maintained at the county planning department and Office of Historic Preservation.

B. The commission shall be responsible for overseeing the compiling, recording, and updating of information on cultural resources within the county. The information shall be based on a comprehensive survey which is conducted in conformance with State survey standards and procedures.

C. The commission does not have the authority to nominate properties directly to the National Register. The commission shall publish procedural rules for registering historical properties identified in a local cultural resources survey program for the National Register of Historic Places, in accordance with the requirements of the National Historic Preservation Act, Section 101(c)(2). The procedural requirements must include standards and criteria for individual properties and districts with boundary identification, property owner notification, public meeting format,

and appeal procedures in accordance with established National Register regulations.

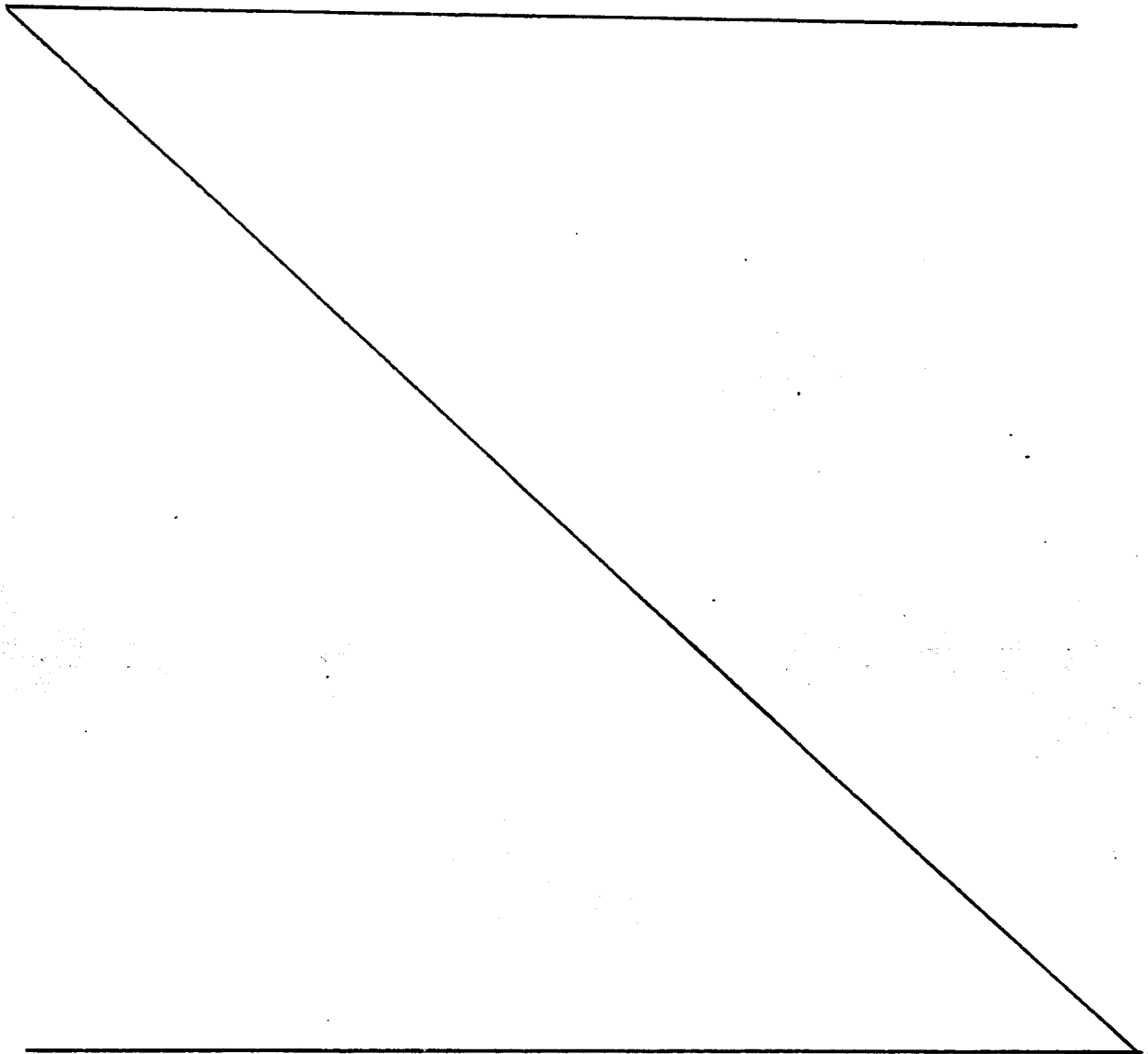
D. The commission shall provide for adequate public participation in the local historic preservation program. The commission shall provide opportunities for public participation in all responsibilities delegated to it, in accordance with appropriate regulations, standards and guidelines. The commission shall encourage public participation in local historic preservation programs. Public participation shall be fully encouraged in direct involvement on the local historic preservation commission as professional or lay members. Commission meetings shall be open to the public, with published agenda and minutes in accordance with the California Open Meeting Act. The published agenda shall be mailed in advance of meetings to individuals and citizens organizations interested in the commission's activities who have requested such notice. Each property owner shall be notified in writing prior to any action to include that property on a list of historic properties. Public participation shall be fully encouraged in the performance of the historic survey program at all levels of completion to identify and inventory significant cultural resources within the county. Survey results shall be of public record and on file at the county planning department, except in the case of sensitive resources, e.g., archeological sites subject to vandalism. Public participation and comment should be fully encouraged in the

nomination process for the National Register of Historic Places. The commission shall publish the procedures by which assessments of potential National Register nominations will be administered.

E. An annual report of the activities of the commission shall be submitted to the county and the State at the end of each calendar year. The report shall include, but not be limited to, such information as appointments to the commission, resumes of commission members and staff, attendance records of members, official minutes of the commission meetings, revisions in the enabling ordinance if applicable, sponsorship of special programs such as educational workshops or conferences, summaries of environmental review cases requiring commission comments, new landmarks and historic districts designated, review of National Register nominations, cultural resources survey updates, and other pertinent activities performed by the commission.

SECTION 2: If any provision of this ordinance or the application thereof to any person or circumstances is for any reason held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application thereof, and to this end the provisions of this ordinance are severable.

SECTION 3: This ordinance shall take effect thirty (30) days after its adoption. The Clerk of the Board of Supervisors is hereby authorized and directed to publish a summary of this ordinance in the Union Democrat, a newspaper of general circulation printed and published in the County of Tuolumne, State of California, prior to fifteen (15) days after its passage.



The foregoing Ordinance introduced on the 20th day of September, 1988, and passed and adopted at a regular meeting of the Board of Supervisors of the County of Tuolumne, State of California, on this 27th day of September, 1988, by the following vote, to wit:

AYES: Retelli, Hunt, Carr, Rankin
NOES: Campbell
ABSTAIN: None
ABSENT: None

Shirley A. Campbell
SHIRLEY A. CAMPBELL, Chairman,
Board of Supervisors, County of
Tuolumne, State of California

ATTEST: RUBY HAWORTH,
Clerk of the Board of Supervisors

by Ruby Haworth (SEAL)

APPROVED AS TO FORM:

STEPHEN DIETRICH, JR.
County Counsel

by Leo J. Faulstich
LEO J. FAULSTICH
Deputy County Counsel