

# Guide

## *Applying for a* **Certificate of Appropriateness**

### ***What is it?***

The Certificate of Appropriateness process allows the County to review alterations or demolitions of properties listed on the Alameda County Register of Historic Resources and the demolition of structures deemed eligible for listing on the Alameda County Register.

### ***When is a Certificate required?***

A Certificate of Appropriateness is required for any new construction, exterior alterations, expansions, demolitions, relocations, or removals of any artifact, natural feature, site, or structure within a Historic Preservation District or to any structure listed on the Alameda County Register of Historic Resources, as well as any removal, alteration, expansion, or addition of lights, signs, landscaping, street trees, or other frontage improvements in a Historic Preservation District or property of a Landmark.

### ***Are there any exemptions to the requirement to obtain a Certificate of Appropriateness?***

Yes, there are exemptions. Certificates are not required for interior changes to a structure or minor changes, including landscaping which does not alter the style of the site or structure or adversely impact the general architectural and/or cultural features of the property, electronic security systems; interior fire and life safety devices and/or systems, and other conditions the Planning Director determines to be minor. In addition, Certificates are not required if the Planning Director determines that an emergency or hazardous condition exists that needs to be corrected to ensure public health, safety, and welfare.

### ***How do I find out if I need one?***

If you would like to alter a property that is over fifty years old, please check with the Planning Department to determine if your property is listed on the Alameda County Register of Historic Resources. If you would like to demolish a property over fifty years in age, please complete the demolition request forms. Upon completing the forms, staff will conduct a preliminary historical assessment of the property to determine if it

might be eligible for the Alameda County Register. Depending upon the outcome of the historical assessment, a certificate of appropriateness may be required.

### ***What if another permit is required?***

The Certificate of Appropriateness is required in addition to any other permit that may be required for the proposed project. If a Site Development Review is required, applications for both should be submitted at the same time.

### ***When can it be granted?***

One or more of the following findings are required for the approval of a Certificate of Appropriateness:

A. The Certificate of Appropriateness has been conditioned upon all alterations complying with the Secretary of the Interior's Standards for the Treatment of Historic Properties, Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings, with the California Historical Building Code and the California Health and Safety Code Section 18950 et seq., as amended, and applied to the project by the Building Official;

B. The proposed alteration, relocation or demolition would not destroy or have a significant adverse affect on the integrity of the designated resource, and the resource will retain the essential elements that make it significant;

C. In the case of any proposed alteration that includes detached new construction on the parcel occupied by the designated landmark, contributing resource or within the historic preservation district, the exterior features of such new construction would not have a significant adverse affect or be incompatible with the exterior features of the designated resource(s).

D. There is no feasible alternative that would avoid the significant adverse affect on the integrity of the designated resource. The owner shall provide facts and substantial evidence demonstrating that there is no feasible alternative to the proposed alteration or demolition that would preserve the integrity of the

**Alameda County Planning Department**

224 West Winton Avenue, Room 111, Hayward, CA 94544

Phone: (510) 670-5400 Fax: (510) 785-8793 Web: <http://www.acgov.org/cda/planning>

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designated resource. In the case of demolition, up to a six-month waiting period may be imposed by the Board of Supervisors from the date.

### ***Who decides whether to approve it?***

The Planning Director; however, in some cases the Planning Director may consult with the Alameda County Parks, Recreation and Historical Commission.

### ***What is the process?***

1. **Application Filing** – Submit the required applications and materials to the Planning Department. Incomplete applications will not be accepted.
2. **Staff Review** – Planning Department staff will review the materials to ensure that the proposed project meets standards applicable to historic resources. If necessary your application will be referred to the Alameda County Parks, Recreation and Historical Commission. Staff will visit your property and write a report and make a recommendation to the Planning Director and the Alameda County Parks, Recreation and Historical Commission. We will notify you of a public meeting date and send you a copy of the staff report prior to the meeting.
3. **CEQA Review** – Applications of this type may be exempt from the California Environmental Quality Act (CEQA). However there may be exceptions depending on the project, and further environmental review and time may be necessary at additional cost.
4. **Public Meeting** – At the meeting, the Alameda County Parks, Recreation and Historical Commission will consider your testimony as well as that from any other interested person. The Alameda County Parks, Recreation and Historical Commission will then decide to recommend approval or denial of your Certificate of Appropriateness.

5. **Planning Director Hearing** – If there is a hearing, staff presents a recommendation and public comments are taken. After the hearing, the Planning Director makes a decision on your project. The action is effective after ten days, unless a written appeal is filed.
6. **Appeal Period** – There is a 10-day appeal period, after this time the Planning Director's action will be final unless a written appeal has been filed with the Board of Supervisors.

### ***What must I submit?***

- A complete **Standard Application** form signed by the property owner.
- A complete **Application Supplement Certificate of Appropriateness** form.
- A deposit of **\$125.00**
- Twenty (20) copies of plot plan drawn to a reasonable (legible) scale. A sample plot plan is included at the back of the **Application Supplement Certificate of Appropriateness** form.
- 20 copies of floor plans and elevations.
- 1 copy of the Plot Plan and elevations reduced to 11" x 17".
- Any additional materials requested by the Planning Department.

### ***How long is the process?***

In most cases, two to three months, depending on the proposed use and the complexity of the project. Some applications will require much more time to process. An Appeal will add approximately two months to the processing time.

### ***What is the cost?***

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The County charges the cost of processing the application.

The amount of deposit charged will depend upon the complexity or magnitude of the proposed Certificate of Appropriateness. If the deposit is depleted, you must deposit additional money for application processing to continue. We will refund any excess funds to you.

### ***What information should I include in my written statement?***

You may provide maps, photographs, exhibits, studies, factual data, or other information depicting the property, its location and its relationship to surrounding uses in order to demonstrate that the Certificate of Appropriateness would not adversely affect a historic resource.

### ***When is a public hearing required?***

For projects that are defined as “Small Projects” (see Ordinance Section 17.62.200 for more information) no hearing will be held. For other projects, a hearing may be held, if warranted based on the specific application. Staff will notify you if and when they will hold a public hearing. At the hearing, a staff member will present the application, written agency and public comments, and staff recommendations. No action will be taken at the meeting. Usually within two weeks after the hearing, the Planning Director will make a decision to approve, deny or require changes or conditions in the proposed project.

### ***What if my application is denied?***

You or another interested party may appeal the Planning Director’s decision to the Board of Supervisors, who will reconsider your request. The Board of Supervisors decision is final.

### ***How is an appeal filed?***

You or any other person, who is not satisfied with the decision, may appeal the action to the Clerk of the Board of Supervisors within 10 calendar days of the decision.

To appeal, you must file an appeal letter and submit a fee (\$250 for applicant or other interested parties) to the Board of Supervisors, which will then set a date for a public hearing to consider the appeal.

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## Certificate of Appropriateness Application Supplement

### Certificate of Appropriateness

- For complete filing instructions, see the **Standard Application** form.
- For general procedures and guidelines, read the handout “*Applying for a Certificate of Appropriateness*”
- You must make an appointment with a Planning Department staff member to determine if materials or information (in addition to those listed below) are needed to evaluate your project.
- If the Certificate of Appropriateness involves new construction or additions, please include the information required per Site Development Review Supplemental forms.
- If you have any questions, please call (510) 670-5400.

1. Applicant Name: \_\_\_\_\_
2. Submit the following materials to the Alameda County Planning Department (Zoning Counter) at 399 Elmhurst Street, Hayward, California. **We will not accept incomplete applications.** Please use the following checklist to ensure the application is complete.

#### Required

- ☐ **Standard Application** form.
- ☐ **Application Supplement:** *Certificate of Appropriateness* form.
- ☐ **Filing Fee Deposit:** Make check payable to “**Treasurer, County of Alameda.**”
- ☐ **Plot plan (20 copies):** Show all information as shown on the **Sample Plot Plan** on the back of this form. Minimum paper size is 8½ x 11 inches. Larger plans shall be folded to 8½ x 11 inches.
- ☐ **Written Statement:** On an attached sheet, briefly explain how your property specifically relates to one or more of the following findings required to approve a Certificate of Appropriateness.

A. All alterations comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties and the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings, and with the California Historical Building Code and the California Health and Safety Code Section 18950 et seq., as amended, and applied to the project by the Building Official;

B. The proposed alteration, relocation or demolition would not destroy or have a significant adverse affect on the integrity of the designated resource, and the resource will retain the essential elements that make it significant;

C. In the case of any proposed alteration that includes detached new construction on the parcel occupied by the designated landmark, contributing resource or within the historic preservation district, the exterior features of such

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new construction would not have a significant adverse affect or be incompatible with the exterior features of the designated resource(s).

D. There is no feasible alternative that would avoid the significant adverse affect on the integrity of the designated resource. The owner shall provide facts and substantial evidence demonstrating that there is no feasible alternative to the proposed alteration or demolition that would preserve the integrity of the designated resource. In the case of demolition, up to a six-month waiting period may be imposed by the Board of Supervisors from the date of the Commission hearing at which the Commission recommendation was made.

- ☐ **Supporting Documents:** Other documents to support the project may include elevations, floor plans, applicable permits from other County, State or Federal agencies.
- ☐ **If Certificate of Appropriateness involves new construction or additions,** please include the information required per Site Development Review Supplemental forms.
- ☐ **Other Information requested by Planner:** \_\_\_\_\_
- ☐ **Call for appointment to meet with a Senior Planner for submittal.**
- ☐ **Applicant Signature verifying that the applicant understands the application process:**

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Applicant Signature

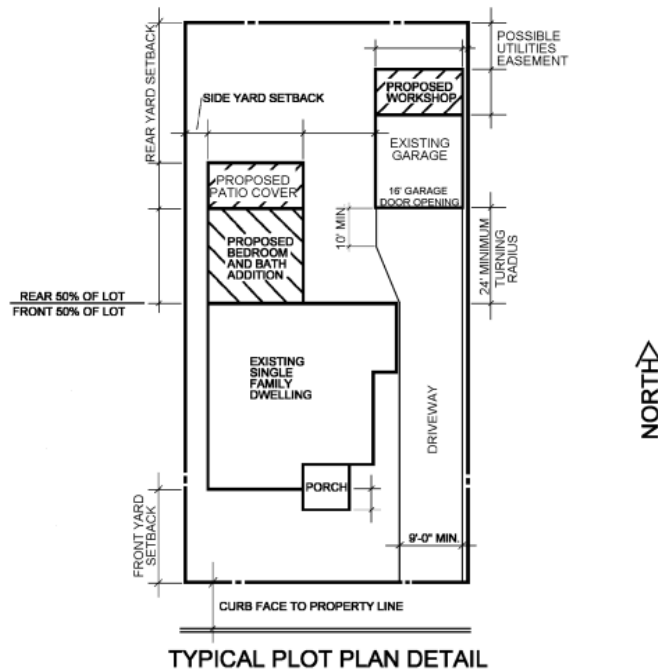
Date

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### Sample Site Plan

***Site Plan should include the following:***

1. North direction arrow.
2. Scale. You must use 1 inch = an even number of feet (i.e. 20 feet, 40 feet, 100 feet, or 600 feet depending on the size of your property).
3. Boundaries of the parcel, including dimensions (you may need a plot map of your property).
4. Location, dimensions, and purpose of rights-of way and easements within the property.
5. Location, dimensions, and use of all existing and proposed structures.
6. Distances of existing and proposed structures from all property lines, from rights-of way, easements, and other structures.
7. Location of all utilities labeled existing or proposed, including septic tank and drainfield, water, power, phone etc.
8. Location and dimensions of all proposed and existing roads, driveways, parking areas, patios, decks, walkways, and other impervious (paved) area(s).
9. Location of any surface water (streams, culverts, drainage ways), or any distinguishing land features such as slopes within or adjacent to the parcel.
10. Extent of area which will be disturbed by construction activity, clearing, digging, or earth moving.
11. On the back of your site plan, please provide detailed directions to the site.
12. Vicinity map.



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