
The Case for Preservation of the Santa Fe Reading Room (Trainmaster's Building)

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Richmond City Council Member
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Summary

For nearly eight years, citizens of Richmond have been working with four different planning directors, four city managers (including acting and interim), half a dozen public works (services) directors, two mayors, a dozen city council members, MTC, CCTA, Caltrans, the Historic Preservation Advisory Committee, BNSF and others to save the Santa Fe Reading Room, one of Richmond's oldest buildings and the only surviving component of the original Atchison, Topeka and Santa Fe Richmond yards. On May 19, 2003, the Point Richmond History Association, in its annual meeting, voted 75-0 to support saving the building. After the settlement of the City of Richmond's litigation with BNSF over the wigwags, the last impediment was eliminated.

On March 30, 2004, the City Council had the opportunity to take advantage of a one-time and time-sensitive offer from MTC to fund the relocation of the building. The City Council postponed action for a week, possibly losing the MTC funding offer. Several City Council members advocated demolishing the building or allowing BNSF to demolish the building. The City Council will consider this item again on April 6, 2004.

Regardless of the action taken by the City Council on April 6, I am requesting that the City Attorney advise the City Council that before any action that is intended to result in the demolition (by neglect, or otherwise) of the building can be taken, an environmental assessment under CEQA followed by an appropriate determination must be accomplished. The building is a structure of historical significance, and demolition would constitute an adverse environmental impact.

Historical Description

The Atchison, Topeka & Santa Fe Railroad was created in July 1902, using the infrastructure of the previously existing Santa Fe Pacific Railroad and the San Francisco & San Joaquin Valley Railway.

The Trainmaster's Office was originally the Employees Reading Room serving the workers of the early Santa Fe Railroad in the Richmond Rail Yard. The assumed construction date is 1903, making the building 101 years old. It is the oldest surviving building of the original yards that were, along with what is now the ChevronTexaco Refinery, the reason the City of Richmond was founded.

The structure is listed on the 1976 Contra Costa Historic Resources Inventory, which states that it included a game room. The clearest description of the Reading Room is recorded in a 1910 souvenir magazine edition of the *Richmond Independent*, printed in celebration of Richmond's founding ten years earlier. The City was not incorporated until 1905. This special issue was a description of the City's businesses, government and amenities and included the following:

Santa Fe Reading Room - Last, but not least, comes the reading room system under Mr. S.E. Busser. The motto of the department is: "Give a man a bath, a book and an entertainment that appeals to his mind and hopes by music and knowledge and you have enlarged, extended and adorned his life; and as he becomes more faithful to himself, he is more valuable to the company." All of the citizens of Richmond can vouch for the quality of the entertainments, which are well attended at each season. They are the best that can be obtained and they are free to railroader and non-railroader, alike. There are about five hundred books, all current magazines, pool and billiard tables, and bath rooms at the Richmond reading room of which Mrs. Ida B. Baker is librarian. Mr. Busser says that the high mental and moral tone of Santa Fe employees is due to the reading room system. The people of Richmond have no argument to offer on that score because they realize that the Santa Fe men are uniformly high-minded, clean-lived citizens and if, to the reading room system belongs the credit then long live the system!

By the 1930's, the Richmond Rail Yard Combination Depot had been expanded several times, and a rare aerial photograph of the Rail Yard taken in 1932 shows the site relationship between the Depot and the Reading Room. Santa Fe records show that it was moved 200 feet to the east of its original site in 1944 along with the Passenger and Freight Depot to make room for track expansion associated with the war effort.



**Santa Fe Reading Room, more recently known as the
Trainmaster's office**

At this time the Depot was expanded to include substantial office space. It may be that the Reading Room use was converted to Rail Yard operational use along with the Depot expansion. It should be noted that relocation of lightweight, wood-frame buildings was common practice within the Richmond Rail Yard from its earliest days of operation. The Santa Fe Railroad also relocated entire stations to different sites along its lines.

In October 1948, as part of a larger work, the Railroad issued an existing condition survey of the “Old Reading Room.” It recorded the alterations resulting from the 1944 relocation. The document shows new concrete foundations, new stucco cladding, and the elimination of several original doors that were turned into windows. Internal changes include the addition of both men’s and women’s toilets, new 1"x4" fir floors laid over the original, and a new asbestos shingle roof. By 1992 the operations housed in the Trainmaster’s Office moved to a new location within the Rail Yard. The building has been unused and unoccupied since that time.

Historic Significance

The Santa Fe Reading Room is a 101-year old building that is the oldest extant component of the original Atchison Topeka and Santa Fe rail yards that, along with what is now the ChevronTexaco Refinery, was the reason for the founding of the City of Richmond.

The City’s own consultant, Carey & Co., concluded that the building “is likely eligible for inclusion on the California Register of Historic Resources at the local level of significance.”¹

The Trainmaster’s Office is listed on the Contra Costa County Historic Resources Inventory. The listing occurred in 1976, under the name: Santa Fe Railroad Depot, Garrard Boulevard. The evaluation category is “Structure of Historic Significance.” The Trainmaster’s Office was included as part of the Depot complex in the original listing. In our opinion, the Trainmaster’s Office is likely eligible for inclusion on the California Register of Historic Resources at the local level of significance. The four criteria for inclusion are as follows:

An historical resource must be significant at the local, state or national level under one or more of the following four criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or 2. It is associated with the lives of persons important to local, California, or national history; or 3. It embodies the distinctive characteristics of a type, period, region, or method or construction, or represents the work of a master, or possesses high artistic values; or 4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Inclusion of the Trainmaster’s Office on the California Register would be based on Criteria One and Three. Criteria One: The City of Richmond was essentially founded as a result of the arrival of two industries. The Santa Fe Railroad and yard facility was established in 1900, and the Standard Oil refinery (now the Chevron Texaco refinery) was established in 1901. The Trainmaster’s Office is the only known surviving yard building associated with the railroad from the earliest days of the Santa Fe facility. Contemporary newspaper accounts clearly

¹ *Relocation Study, Santa Fe Trainmaster’s Office Located on Garrard Boulevard, Richmond, California.* (San Francisco: Carey & Co., January 15, 1999, Revised December 24, 2003) 3-4

demonstrate the important role of the structure as a reading room and social center in the life of the new community. Criteria Three: The Trainmaster's Office is a unique type of building among a rapidly vanishing inventory of early twentieth century railroad structures. While maintaining all of the architectural features common to railroad structures, its design, and use as a library, makes it distinctive in the broader set of character defining rail yard types of the period.

Because we believe the Trainmaster's office is likely eligible for inclusion on the California Register, and because it was listed with Contra Costa County in 1976, it has likely been subject to the tenets of the California Environmental Quality Act (CEQA) since that date. Any proposed alterations, demolition, or relocation will require review by the City of Richmond Planning Department relative to CEQA requirements. Point Richmond is on the National Register of Historic Places as a District.

Period of Significance is the time span in which a building attains the character and status for which it will be historically noted. Determining a building's Period of Significance is necessary to establish the importance of early alterations that are compatible with the original design. Also, it is often difficult to distinguish between original fabric and early compatible alterations. The Period of Significance enables both original features and early compatible modifications to be interpreted as important historical materials or configurations. The Period of Significance for the Trainmaster's Office is 1903 - 1944.

CEQA Application

Any action taken by the City Council that results in the demolition of the Santa Fe Reading Room would be a "project" under CEQA.²

Historical resources are recognized as a part of the environment under CEQA (PRC 21001(b), 21083.2 and 21084.1). See Appendix A, CEQA Guidelines 15064.5: *Determining the Significance of Impacts to Archeological and Historical Resources*. The California Register is an authoritative guide to identify the state's historical resources and to indicate what properties are to be protected from substantial adverse change.

The California Register includes resources listed in or formally determined eligible for listing in the National Register of Historic Places, as well as some California State Landmarks and Points of Historic Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the California Register and are presumed to be significant resources for

² Public Resources Code § 21065. Project "Project" means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following: (a) An activity directly undertaken by any public agency. (b) An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies. (c) An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC 5024.1, CCR Title 14, 4850).

Unless a resource listed in a local survey has been demolished, lost substantial integrity, or there is a preponderance of evidence indicating it is no longer eligible for listing, a lead agency should consider the resource potentially eligible for the California Register. However, a resource does not need to have been identified previously either through listing or survey. Lead agencies have a responsibility to evaluate whether historical resources are present and could be impacted by a proposed project (PRC 21084.1, CEQA Guidelines 15064.5(3)).

In evaluating a project involving a historical resource, substantial adverse change includes demolition, relocation, or alteration such that the significance of an historical resource would be impaired (PRC 5020.1(q)). While demolition and construction are fairly obvious significant impacts, it is more difficult to assess when change, alteration or relocation crosses the threshold of substantial adverse change. The CEQA Guidelines provide that a project that demolishes or alters those physical characteristics of an historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance.

Relocation of an historic resource may cause an adverse impact on the resource. However, in situations where relocation is the only feasible alternative to demolition, relocation may mitigate below a level of significance provided that the new location is compatible with the original character and use of the historical resource and the resource retains its eligibility for listing on the California register (CCR Title 14, 4852(d)(1)).

Not only would the proposed demolition be the result of a discretionary City Council action at the present time, but this structure has a history of connectivity to and is a remnant of the BNSF Repair in Place Facility and the Richmond Parkway Project that were both subject to CEQA.

Discretionary Review History

Repair In Place Facility

On December 16, 1992, the Environmental Assessment Panel considered an initial study on the project described as follows:

The Santa Fe Railway Company proposes to construct a Repair-In-Place Facility (to repair defective train cars), Office Building and Air Compressor Addition. The total square footage of the proposed building is 64,790 square feet.

The Negative Declaration issued in 1992 noted that, "...four of the six buildings slated for demolition contain traces of asbestos [chrysotile]," and a required mitigation measure was to "Remove all 'friable' asbestos prior to the demolition of the buildings."

Further, the Negative Declaration stated that,

...the depot is not part of the proposed RIP facility project and will require a separate demolition permit; however it is considered a phased project under CEQA and is being addressed in the mitigation measures section of the initial study.

The depot is listed as a historical building in the Historical Resources Inventory, Contra Costa County, California, 1976. If the building cannot be preserved in place or moved to a new location, then the applicant shall utilize the Historic American Buildings Survey (HABS) documentation.³

Also among the requirements of the negative declaration were the following:

- Apply for a demolition permit with the City of Richmond Building Regulations and the Bay Area Air Quality Management District.
- Applicant shall provide to the City of Richmond written justification and evidence that the depot building cannot be preserved in place or moved.

Documentation by James Moore

Apparently in response to the HABS documentation requirement, James Moore, “Railroad Historian” (under subcontract to Santina & Thompson, Inc?), prepared and submitted to the Planning Department on May 10, 2003, a written and photographic summary of the larger of the two buildings, identified as the *Santa Fe Railroad Depot*. He reported that it was constructed in 1910 and accurately concluded that remodeling and modernization have obscured or altered the original fabric of the building.

The Moore report did not discuss or include photographs of the smaller building, which is a simple, railroad station style, one-story wood frame structure with V-rustic siding.

On May 12, 1993, David W. Look, AIA, of the National Park Service wrote to Santina & Thompson confirming that the documentation prepared by Moore meets the Historical American Buildings Survey standards.

Demolition Begins by Burlington Northern-Santa Fe Without a Permit

In a memo from Jim Farah dated June 3, 1997, he notes that:

Although demolition of the depot was not included in the initial stage of the ‘repair in place’ project for the Railroad Yards, it was contemplated as a later phase of the overall project that was covered by the Negative Declaration (EID 92-17) (enclosed).” Although demolition had already begun with removal of stucco, Farah noted that “...there had been no application for a demolition permit,” and that “...further demolition work was dependent on decisions at a higher level within the Company.” Farah concluded, “The current records provide no clear indication of the structure’s physical integrity. If a demolition

³ City of Richmond Proposed Negative Declaration EID 92-17

permit is applied for, staff believes that it would require a new environmental determination.

The Demolition Becomes a City of Richmond Project

In a memo from Jim Farah dated August 20, 1997, there appears to be a completely different story. He then claimed that the demolition of the depot was a "...City responsibility undertaken as part of the Richmond Parkway project." He attaches a memo dated August 15, 1997, from Larry Loder to Floyd Johnson which states, "Our agreement with the railroad requires the removal of these buildings at Parkway expense to provide land area lost due to the road widening...The City's Engineering Division is advertising for the demolition of the two buildings plus removal of the two loading docks. We anticipate completion within the next three months."

On August 25, 1997, I wrote Floyd Johnson with complaints about how this project had been handled, stating that, in my opinion, both CEQA and local ordinances had been violated for the following reasons:

- The original initial study and negative declaration is inapplicable because the "project" has changed from the "repair in place facility" to the Richmond Parkway."
- The conditions of the original Negative Declaration have not been met, because Santa Fe (now Burlington Northern-Santa Fe) did not take out demolition permits in a timely manner, and there is no written justification (to be monitored by both the City of Richmond and the National Park Service) that the building(s) cannot be preserved in place or moved.
- The Richmond Director of Planning has gone on record as finding that there is no record of the structure's integrity (related to the feasibility of preservation or relocation) and that a new environmental determination would be required.
- Removal of the stucco has revealed that the statement made by James Moore in April 1993 that "Remodeling and modernization have obscured and altered the original fabric of the building"⁴ is inaccurate. The original wood exterior of the [smaller] building, including windows and trim is remarkably intact.
- The obligations of a public agency regarding historic cultural resources have been refined since 1992, and the City is clearly not in compliance with contemporary interpretations of CEQA.
- If this demolition is now a City project, it requires review of the PDRB.

In a memo from Jim Farah dated October 30, 1997, Mr. Farah concluded that:

The monitoring program required the Railway to submit written justification and evidence that the depot building could not be preserved in place or moved. The record does not contain evidence that the justification for demolition was received.

⁴ Photographs and Written Historical and Descriptive Data submitted as HABS No. CA-2342 by David Wemmer, Project Manager, Santina & Thompson, Inc., May 10, 1993.

The immediate impetus for the removal of the depot buildings from their current locations has shifted from the proposed repair-in-place facility to construction of the Richmond Parkway. However, overall, either immediate impetus are consistent with a broader strategy to minimize the railroad's operational, impact on the community. The City Attorney's office has concluded the CEQA requirements remain unchanged, and consequently the original mitigations surrounding the building's removal must also occur.

The Fire

On November 16, 1997, the larger of the two buildings almost burned down. The Richmond Fire Department report that "The property owners stated that they have had a problem with vagrants."⁵

Peterson Report

When I raised the issues regarding failure to conform to CEQA requirements relating to cultural historic resources and the City's failure to follow its own negative declaration conditions, the response was to have Mr. Dan Peterson, Architect, prepare yet another report. Apparently the objective of the report was to satisfy the negative declaration requirement for a "relocation study."

The report identifies the smaller building as the "small ancillary building to the west," and discusses its condition as follows:

- The smaller ancillary structure to the west of the ASSF Depot has also been altered. All of the character defining trim and features normal to a building of this type were removed when the building was stuccoed.
- All of these structures have been altered to such a degree that they no longer have any historic architectural significance.
- The small one storey [sic] ancillary structure, west of the ATSF Depot, is built with a frame floor and could be relocated in one section. This building has lost most of its historic architectural integrity.

The Peterson report was flawed or erroneous in several respects:

- There was no information regarding the age, history, use, or potential historic significance of the smaller "ancillary building."
- There was no separate cost estimate for removal and rehabilitation of the smaller building.
- The statement about alterations was misleading. The only trim that has obviously been removed is that which was at the perimeters of the exterior windows and doors. What is intact includes the following:

⁵ "Fire Destroys Abandoned Train depot," *West County Times*, November 16, 1997

1. V-rustic wood siding in its original “railroad buff” colors
2. Exterior light fixtures
3. Wood soffits under the roof overhangs
4. Several windows and doors
5. Interior wood ceilings
6. Interior wood floors
7. Original wall and roof structure

This smaller building, in fact, played a key role in the history of the western terminus of the Atchison Topeka and Santa Fe Railroad, which in turn, was one of the two defining reasons for the founding of the City of Richmond. It is one of possibly only two intact artifacts relating to the early days of the railroad that are salvageable, the other being the pier at Ferry Point.

The Carey & Company Report

In 1998, Larry Loder retained Carey & Co., Inc., on behalf of the City of Richmond, to prepare a report on the potential relocation of the Trainmaster’s Office to Point Richmond. While the preliminary conclusions cast some doubt about the historical significance of the building, more recent information indicates that the building has remarkable significance.

Turner and Loder Notify Santa Fe of Obligation to Preserve

In 1999, Isiah Turner and Larry Loder recognized the need to preserve the building and move it to a location where it could be rehabilitated (see letter from Turner to Kettring 2/2/99 and memo from Loder 8/19/1999).

City Council Considers Relocation

On 11/30/2000, the Finance Committee discussed the matter and moved it to the City Council agenda (See Finance Committee Minutes 11/30/2000). The staff report included the following:

Caltrans indicated that their agreement to fund any relocation of the building was limited to purchase of the site and the cost of moving the building to that site. They further indicated that there must be provisions made for the building’s renovation, and that these costs would not be covered by parkway funding. Redevelopment staff has indicated that, in their opinion, the proposed relocation site is marketable to the private sector with the building’s renovation a requirement of the sale.

The item was on the January 23, 2001, City Council Agenda, but was held over a week pending receipt of more information specifically involving funding. The January 23, 2001 Minutes:

On motion of Councilmember Bell, seconded by Councilmember Griffin, rescinded the previous vote on the Consent Calendar to consider approving proceeding with the acquisition of the triangular parcel in Point Richmond for relocation of the Trainmaster Building as part of the Garrard Boulevard widening project, Richmond Parkway by the following vote: Ayes: Councilmembers

Penn, Marquez, Griffin, Belcher, Bell, Anderson, and Vice Mayor Bates. Noes: None. Abstentions: Councilmembers Butt and Mayor Corbin. Larry Loder, Project Manager for the Richmond Parkway, provided the Council with an overview. Councilmember Bell stated this matter came before the Finance Standing Committee, and the Committee requested more information. He stated that it is not clear what is going to be done, and he said that he would not support acquiring the parcel without sufficient information. Councilmember Butt stated that, from a business perspective, this is something that the Council should do because the City can make a profit, it will eliminate the impediment for the Richmond Parkway, and will fulfill the CEQA requirement for historic preservation. A motion was made by Councilmember Butt, seconded by Councilmember Marquez to approve the acquisition. Vice Mayor Bates made a substitute motion, seconded by Councilmember Bell, to refer the matter back to the Finance Committee. Isiah Turner, City Manager, suggested that the information requested by Councilmember Bell be submitted to the Council in their packets on Friday, January 26, 2001. Following discussion, the original and substitute motions were withdrawn and the item was continued for one week to January 30, 2001.

On January 30, the item was brought back, but the funding information was not yet available, and it was pulled from the agenda.

January 30, 2001, Minutes

Withdrew consideration of proceeding with the acquisition of the triangular parcel in Point Richmond for relocation of the Trainmaster Building as part of the Garrard Boulevard widening project, Richmond Parkway,

On June 14, 2001, ATSF reiterated their interest in selling the relocation parcel to the City, but mentioned the railroad's interest in resolving other issues, including access off the western leg of the Parkway to the ATSF intermodal yard and completion of the purchase of property along Garrard Boulevard.

Subsequently, Larry Loder secured a commitment from Caltrans to fund the acquisition from Parkway funds (see Record of Minutes, Richmond Parkway, November 30, 2001), thus obviating the concern about Redevelopment Agency funding.

Since late 2001, ATSF blocked any further move toward acquisition by insisting on a quid pro quo that includes the resolution of at least three other issues, including access off the western leg of the Parkway to the ATSF intermodal yard, completion of the purchase of property along Garrard Boulevard, and the wigwag controversy.

Wigwag Settlement Restarts Acquisition Process

Settlement of the WigWag litigation in February 2004 included a provision allowing the City to acquire the 0.85 acre (37,026 square feet) parcel across the street from the Plunge (Cutting Boulevard Parcel) for \$8.00 per square foot, a total of \$296,208. Larry Loder was able to secure a commitment for a limited period of time from MTC to pay for a one-

time relocation of the building. Since there was not enough time to complete an RFP or an acquisition of the Cutting Boulevard Parcel, the plan would be as follows:

- Temporarily relocate the Reading Room to one of several locations along Garrard Boulevard.
- Using an RFP, solicit proposals from developers to purchase and develop the Cutting Boulevard Parcel with the stipulation that the development include the relocated and rehabilitated trainmaster building.

Economic Feasibility

The Santa Fe Reading Room building is 28 feet wide by 78 feet long with an area of 2,184 square feet. Depending on the end use, rehabilitation costs would be approximately \$50 to \$100/square foot for the shell and \$30 - \$60/square foot for interior improvements – a total of \$174,200 to \$349,440. A developer would probably be able to take advantage of 20% Historic Preservation Tax Credits, thus reducing the cost by \$35,000 to \$70,000. Other tax deductions and grants may be available to reduce the cost even further.

Land sales in the Point Richmond commercial area, including parcel across Railroad Avenue from the Cutting Boulevard Parcel, have been in the \$30 to \$60 per square foot range. That means the Cutting Boulevard parcel has a value in the range of \$1,110,780 to \$2,221,560. If the City sold the parcel for its acquisition cost, a developer would have the equivalent of several hundred thousand dollars available to spend on final relocation and rehabilitation of the historic building – more than enough to cover the costs.

In addition to the rehabilitated historic building, the Cutting Boulevard Parcel is large enough to accommodate an additional 8,000 to 10,000 square feet of new buildings, including all required parking. If the parcel were to be augmented with some parking rights in the portion of Cutting Boulevard projected to be cut off as a part of the wigwag settlement, the potential for additional building development could increase.

Another possibility would be to develop parking on the Cutting Boulevard Parcel to become a new Point Richmond Parking District project.

Appendix A – City of Richmond Public policy and Historic Preservation

***Protect notable historic, archaeological and cultural sites
from destruction***

Richmond General Plan Policy OSC-E.2

City of Richmond

Historic preservation is not new in Richmond. Tiering from federal and state historic preservation public policy, Richmond has its own extensive public policy established by numerous acts of the City Council over several decades. The original version of Richmond's Historic Structures Code, RMC 6.06, was passed by the City Council as Ordinance 24-82 N.S. in 1982.

Official recognition of some of Richmond's historic sites began over 30 years ago. East Brother Light Station was entered into the National Register of Historic Places in 1971, followed by the Point Richmond Historic District (335 contributing structures) and Winehaven Historic District (35 buildings, 71 acres) in 1978. In the 1980's, Alvarado Park, the Carquinez Hotel and the former Ford Motor Company Assembly Plant followed. Most recently, sites and objects connected with World War II joined the list, including Shipyard 3 and the Red Oak Victory. In addition to placement on the National Register of Historic Places, both Shipyard 3 and East Brother Light Station are California Historic Landmarks.

There are two basic reasons that Richmond has a historic preservation "program." The first is not optional, and it involves complying with state and federal law. The second is that historic preservation offers a tool that can be used effectively for economic development, neighborhood stabilization and improvement, visitor attraction and image enhancement – all of which can improve the quality of life in Richmond.

Any project in Richmond that receives federal funding or requires federal permits, approvals or other actions has to conform to Section 106 of the National Historic Preservation Act, which requires consideration of the affect such undertaking will have on historic resources and the implementation of mitigation or alternatives if feasible and appropriate. The full act may be found at <http://www2.cr.nps.gov/laws/NHPA1966.htm>, and the purpose of the act is recommended reading to provide an excellent summary of why historic preservation is important to America. Ongoing projects in Richmond that are subject to Section 106 are the Ford Assembly Building and Point Molate.

State law has comparable requirements to Section 106 that may be found in CEQA. The jurisdiction of CEQA is much broader than Section 106 and applies to every project requiring a discretionary permit in California. In Richmond, this includes any alteration

to the exterior of a building or archaeological site or any discretionary permit or action by the City Council that is listed on, or even eligible for, the National Register of Historic Places, the California Register or the Richmond Register.

Having knowledgeable staff or consultants available to efficiently and properly process permits involving historic resources fulfills a legal requirement for the City and serves applicants by providing efficient, effective and proper customer service. This also minimizes that possibility of appeals and litigation.

Non-mandatory programs that can benefit Richmond include an array of tax incentives, building code flexibility and grants that encourage historic preservation.

Historic preservation public policy in Richmond is documented in the General Plan, the Zoning Ordinance, the Historic Structures Code, the City of Richmond Guidelines and Procedures for the Implementation of CEQA, and a number of resolutions of the City Council. A discussion of each of these follows:

The Richmond General Plan

The Richmond General Plan was adopted August 15, 1994, by City Council Resolution #164-94. The vote was unanimous and included City Council members Corbin, Washington, Bates, Anderson, Griffin, Marquez, McMillan, Niccolls, Powers and Rogers.

The General Plan includes an explanation of its legal authority and the City's obligation for implementation, pertinent portions of which follow:

The California Government Code, Section 65300, states that: "Each planning agency shall prepare and the legislative body of each county and city shall adopt a comprehensive, long term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency's judgment bears relation to its planning. Chartered cities shall adopt general plans which contain the mandatory elements specified by law.

"In construing the provisions of this article, the Legislature intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency." Further, the Government Code states that: "The general plan shall address each of the elements specified by law to the extent that the subject of the element exists in the planning area. The degree of specificity and level of detail of the discussion of each such element shall reflect local conditions and circumstances."

The primary implementation mechanism is the zoning ordinance. The zoning typically permits certain uses by right in each zoning district and other uses upon approval of a conditional use permit. The zoning establishes specific standards for minimum lot size, building height and setback limits, fence heights, parking and other development parameters. Other implementation mechanisms include, but are not limited to, subdivision regulations, specific plans, development agreements, building and housing codes, capital improvement programs, and redevelopment.⁶

⁶ Richmond General Plan, I-1

Within the General Plan are a number of goals, policies, area specific guidelines and implementation components that, taken together, establish a framework for historic preservation–related public policy. Excerpts of pertinent component include:

Goals

- OSC-E: Provide a legacy of the history, archaeology and culture of the area for present and future residents⁷
- CF-C.2.g: Rehabilitation of the Richmond Plunge Aquatic Facility.⁸
- CF-K.2: When financial resources permit, City will repair the Ford Assembly Plant Building, a historical and architecturally significant building, to bring it back to a seismically resistant shell for future development and use.⁹

Policies

- LU-A.4: Require new development adjacent to historical sites to incorporate design elements so as to complement the character of the surrounding historical structures (Same as Open Space and Conservation Element Policy OSC-E.4)¹⁰
- LU-A.5: Preserve and enhance existing cultural¹¹ and artistic artifacts and resources in the City (Same as Community Facilities Element Policy CF-K.2).¹²
- CF-K.2: Preserve and enhance existing cultural and artistic artifacts and resources in the City (Same as Land Use Element Policy LU-A.5).¹³
- ED-C.3: Promote Richmond as a destination point for non-residents by building on the City’s unique shoreline and waterfront assets, scenic features, and historical and cultural resources.¹⁴
- OSC-E-1 Require archaeology reconnaissance surveys for all projects within an archaeological sensitivity area. When cultural resources are located, measures to deal with the historic resource shall be recommended by a qualified archaeologist (Archaeological Sensitivity areas are identified in the Archaeology map prepared by California Archaeological Consultant, 1981, and is on file in the Planning Department)¹⁵

⁷ Ibid, OSC-3

⁸ Ibid CF-18

⁹ Ibid, CF-25

¹⁰ Ibid, LU-18

¹¹ In this usage, the term “cultural” pertains to human involvement, as opposed to “natural.” A “cultural resource” is something created by humans, as opposed to a “natural resource,” such as a creek or ecosystem.

¹² Ibid, LU-18

¹³ Ibid CF-10

¹⁴ Ibid, ED-5

¹⁵ Ibid, OSC-7

- OSC-E.2 Protect notable historic, archaeological and cultural sites from destruction.¹⁶
- OSC-E.3 Support formulation of a plan for interpretive facilities on specific sites. Sites near local and regional recreation areas should be preferred. Sites should be included in parks, trails, and other facilities whenever possible¹⁷
- OSC-E.4 Require new development adjacent to historical sites to incorporate design elements so as to complement the character of the surrounding historical structures (Same as Land Use Policy LU-A.4)¹⁸

Area Specific Guidelines

- West Shoreline – 3: Urge that additional commercial facilities at Point Richmond will be developed in a way that complements and preserves the historic “village-like” appearance and character of the district.¹⁹
- West Shoreline – 6: Encourage the acquisition of the historic buildings at Winehaven by the East Bay Regional park District or the City when the Naval Fuel Depot becomes surplus public land.²⁰

Implementation

- LU-A.3 City will incorporate historic preservation provisions into the Zoning Ordinance and indicate on the Zoning Maps the location of historic structures and districts.²¹

Richmond Zoning Ordinance (Richmond Municipal Code Chapter 15.04) and Design Guidelines

Richmond Municipal Code Chapter 15.04, Zoning Ordinance²², requires design review of exterior alterations or additions to designated historic structures²³ and includes under the Design Review Guidelines²⁴, General Principles: "Federal, State and City standards for the rehabilitation of Historic or Architecturally Significant Structures shall be included when applicable." In 1999, the City Council adopted Resolution 30-99 as a Design

¹⁶ Ibid, OSC-7

¹⁷ Ibid, OSC-7

¹⁸ Ibid, OSC-7

¹⁹ Ibid LU-24

²⁰ Ibid, LU-24

²¹ Ibid, LU-48

²² See <http://bpc.iserver.net/codes/richmond/index.htm>.

²³ RMC 15.04.930.020.D: Any exterior development of a structure or specific site feature listed on the National Register of Historic Places or the California Register, identified as a contributing structure to a historic district, identified in other state or county historic registers, or as determined by a qualified architectural historian or State or Federal Historic preservation Organization as having significant historic contribution to an area shall not be exempt [from design review].

²⁴ Design Guidelines (Resolution 30-99)

Review Guideline, clarifying that the *Secretary of the Interior's Standards* shall apply to any exterior alteration of a designated historic structure in Richmond.²⁵

Historic Structures Code

Richmond's Historic Structures Code, RMC 6.06, was originally passed by the City Council as Ordinance 24-82 N.S. in 1982 as a means to provide access to historic preservation incentives. In 1999, it was amended by the City Council to provide a framework to meet the requirements for the City to qualify as a "Certified Local Government." Nancy Kaufman, former principal planner, originally advocated the amended Historic Structures Code and the Certified Local Government application in 1997 as a way for the City to exercise more autonomy in the review and approval of development of the historic properties at Point Molate. After, Kaufman left the Richmond Planning Department, the effort languished but was revived with the prospect of the Rosie the Riveter WW II Home Front National Historical Park and the rehabilitation of the Ford Assembly Building. The amended ordinance was passed on a 7-1 vote on December 14, 1999.

The "Purpose" statement of the Historic Preservation Ordinance provides an excellent summary of its objectives:

The purpose of this chapter is to promote the general welfare by providing for the identification, protection, enhancement, perpetuation, and use of improvements, buildings, structures, signs, features, sites, places, and areas within the City that reflect special elements of the City's historical, architectural, archaeological, cultural, or aesthetic heritage for the following reasons:

1. To encourage public knowledge, understanding, appreciation, and use of the City's past;
2. To foster civic pride in the beauty and personality of the City and in the accomplishments of its past;
3. To enhance the visual character of the City by encouraging new design and construction that complement the City's historical buildings;
4. To increase the economic benefits of historic preservation to the City and its inhabitants;
5. To protect property values within the City;
6. To identify as early as possible and resolve conflicts between the preservation of historical resources and alternative land uses;
7. To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment;

²⁵ See <http://www2.cr.nps.gov/tps/standguide/index.htm>.

8. Provide a procedure for detailed application of the California Environmental Quality Act (CEQA) as it pertains to historic cultural resources as defined in Section 21084.1 of the California Environmental Quality Act;
9. Achieve designation as a Certified Local Government under 36 CFR Part 61 and satisfactorily perform responsibilities delegated by the State of California;
10. Provide for detailed application of Federal legislation affecting historic properties, including Section 106 of the National Historic Preservation Act (16 USC Section 470f, Section 4(f) of the Department of Transportation Act (Section 4(f): 49 USC Section 303 and 23 USC Section 138, Highways; and 49 USC Section 2208(b)(5), Airports) and the Public Buildings Cooperative Use Act (40 USC Sections 490.601a, 606, 611 and 612a);
11. Maintain a system for the survey and inventory of historic properties;
12. Provide for adequate public participation in the application of public policy in historic preservation, including the process of recommending properties for nomination to the National Register of Historic Places, the California Register, or the Richmond Historic Register;
13. Provide owners of historic properties reasonable economic uses;
14. Provide a constitutional right of owners for due process for restrictions or proposed restrictions on the use of historic properties.

The staff report dated October 13, 1999, describing the proposed amendments to the Historic Preservation Ordinance (Historic Structures Code), recommended approval and provided the following background:

In March of 1998, the City Council, as part of a comprehensive historic preservation strategy, directed staff to proceed with the following steps:

1. Prepare a resolution requesting the County to expand their Preliminary Historic Resources Inventory by adding all other known properties that currently exist on other lists but are not in the inventory.
2. Prepare a resolution designating listed structures as historic structures in accordance with Ordinance No. 24-82 (Chapter 6.06 of the RMC).
3. Prepare a resolution establishing criteria and procedures for the designation of historic sites (vs. structures) and adoption of a resolution designating listed historic sites.
4. Staff continue to coordinate with SHPO to establish CLG status for the City.
5. Staff investigate grant opportunities for preparing a local historical properties/site inventory and apply once CLG status is conformed.

Step 1 was completed on April 14, 1998, when the City Council adopted Resolution No. 59-98. Steps 2 and 3 were not pursued because it was determined that Chapter 6.6 of the RMC was substantially out of date with current historic preservation practices and regulations. The attached ordinance which amends Chapter 6.06 is currently proposed to meet or establish the foundation for meeting the directives of steps 2, 3 and 4. With respect to step 5, staff has applied for a grant from the Preservation services Fund of the National Trust for Historic Preservation to provide historic preservation training to the [Design Review] Board, Planning Commission and staff.

California Environmental Quality Act (CEQA)

In the California Public Policy section of this report, there is a detailed treatment of CEQA review for projects involving historic resources. Ultimately, this review has to be implemented by the City of Richmond Planning Department. In a memo dated February 15, 2000, Dan Shaw, former Director of Community and Economic Development, wrote:

As I have indicated in the past, I totally agree that we have a lack of expertise in the preservation area. I am requesting a new position in the upcoming [Planning Department] budget to handle historic issues. Additionally, we are preparing an RFP to secure professional peer review services.

The solution Planning Manager Martin Jacobson and Dan Shaw recommended was to retain a consultant to fill in until the City could recruit a qualified staff member. On January 31, 2001, the City Council approved a \$60,000 transfer from the general fund to obtain the services of a consultant. In recommending the transfer, staff commented:

Identification of sites or structures for inclusion is a specialized field of expertise that City staff does not possess. This, we must contract with an outside consultant to perform this work. In addition, we expect the work of the Advisory Committee and the National Homefront Project to require additional staff expertise that the City currently lacks. Consequently, we recommend that the City contract with an outside consultant to staff the Advisory Committee and the National Homefront project until such time as the Planning Department reaches full staffing and is capable of providing this type of support. The consultant could also assist City staff in reviewing plans for additions or alterations to existing historic buildings or contributing structures on an as-needed basis.