



Policy Type: Board

Category: Land Use

Policy Name: Monuments on County Property - Board Policy 7.16

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7.16 MONUMENTS ON COUNTY PROPERTY (Adopted 6-19-12)

Purpose

The purpose of this policy is to identify the circumstances under which the County will, on its own initiative, or in response to an offer or presentation by a third party, allow the erection and maintenance of monuments on County property. This policy further details the basis on which the County will consider the erection of monuments, and the limitations on the acceptance of monuments. Through this policy, the Board of Supervisors establishes criteria for the erection and maintenance of monuments on County property and reserves to itself, following receipt of a recommendation from the County Executive, the responsibility for implementation of this policy. This policy is not intended to be in conflict with and is not subject to any provisions of the County of Santa Clara Ordinance Code.

Reasons for Adoption of Policy

The adoption of this policy is prompted by recognition of the following:

There is a finite amount of County-owned property.

There are aesthetic issues surrounding the placement of permanent objects in parks and other public areas.



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The County wishes to preserve its public open space in a rational and systematic manner; permanent structures, displays, permanent signs, and monuments decrease the available open space and the visual perception of open space.

There are safety issues surrounding the placement of permanent objects in parks and public areas, such as sight obstructions and line of sight availability, and the County wishes to ensure the placement of permanent objects on public property does not create safety hazards.

Monuments Eligible for Consideration

The County will consider the erection of monuments on County property which:

- (A) Relate to the history of Santa Clara County or the State of California; or
- (B) Honor individuals or groups that have played an important role in Santa Clara County or the State of California; or
- (C) Are donated by groups with long-standing ties to Santa Clara County or the State of California and which express sentiments consistent with Santa Clara County policies.

No physical feature, including but not limited to sculpture, memorial, structure, or landscape feature, shall be installed for the purpose of bringing attention to a special interest or cause unrelated to the eligibility factors stated above.



Process

Any person or entity wishing to donate a monument to the County must contact the County Executive.

- (1) A proposal shall be submitted in writing, and include a contact name, address and telephone information.
- (2) A proposal shall include a written statement detailing what it is that is proposed to be donated and background information regarding the significance of the intended donation.
- (3) The funding mechanism for creation, installation and maintenance must be detailed in the proposal. If no funding is proposed for any or all of the life-cycle of the monument, the County has the right not to process the proposal further.
- (4) County staff will verify if the intended site is County property. The County reserves the right to identify an alternate location.
- (5) A visual depiction or model, or the monument itself, must be provided to the County for review. The County reserves the right to require changes in design.
- (6) The appropriateness of the item will be evaluated by the County as it relates to the site, compatibility with the surroundings, impact on use of the property, aesthetic merit, safety and maintenance issues, and conformance to the eligibility and acceptance criteria contained in this policy. The County retains the legal right to approve or disapprove of the proposal.
- (7) If the County Executive determines the requirements of this policy have been met, the County Executive will make a



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recommendation to the Board of Supervisors, who will consider the proposal at a public meeting. Alternatively, the Board of Supervisors may, by referral made at a regular Board meeting, refer any proposal that is not recommended for approval by the County Executive to the Finance and Government Operations Committee for further consideration under this policy.

- (8) Fundraising or costs incurred by the donor in furtherance of the monument project prior to receiving County approval is at the donor's own risk and does not obligate the County to accept the monument or reimburse any individual, including the donor, for any costs incurred.
- (9) Prior to installation, a monument shall be reviewed to ensure it conforms to all representations made to and expectations of the County, and if it fails to do so, installation may not be permitted.

Evaluation Criteria

The following criteria shall be considered in determining whether or not to accept a donation of a monument and the ultimate location of the donated monument:

- (1) Relevance of the monument to the placement location, such as historic or thematic relationship, and consistency with Board policies, if any.
- (2) Consideration of the long-term impact of a permanent monument and its ability to withstand conditions such as the weather, vandalism, vagaries of time, and changing attitudes.
- (3) No subjects that are trademarked or commercially licensed may be installed on County property.



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- (4) The monument must be designed and sited to avoid disturbance of natural and cultural resources and values.
- (5) The monument cannot interfere with or prohibit existing or anticipated future uses of the property
- (6) The monument cannot encroach on any pre-existing work or be aesthetically intrusive.
- (7) The monument must not pose a safety hazard to passersby, curious spectators, or the environment. Sharp projecting elements, loose parts, and other hazard elements are prohibited.
- (8) The monument must be of high quality design and craftsmanship to assure permanence; inferior workmanship may be rejected and removal required.
- (9) No monument shall be accepted if it presents an unreasonable maintenance burden. The County retains the option of requiring the donor to enter into a contract to provide for routine maintenance.
- (10) While not absolute, monuments to living persons are discouraged; a minimum of seven years between an event and its commemoration is recommended to allow for sufficient historical perspective.

Additional Provisions

All monuments on County property become the property of the County.



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No vested rights shall be conferred or received by any individual, entity, group or community organization as a result of this policy.

Related Policies

None.

Related Forms and Information

None.

History

Date	Changes Made
2/10/2014	Policy Uploaded. (Kyle Larson)
6/19/2012	Policy Adopted. View legislative file.