

CITY OF VISALIA **HISTORIC PRESERVATION ADVISORY COMMITTEE** **and **BUILDING ADVISORY COMMITTEE****

Special Called Meeting
Wednesday, November 17, 2021, at 5:30PM

Historic Preservation Advisory Committee:

Walter Deissler (Chair), Tyler Davis (Vice-Chair), Patty Kane, Michael Kreps, Marilyn Mitchell, Jay Hohlbauch, Peggy Lambert

Building Advisory Committee:

Barry Lindor (Chair), BJ Perch, Martin Hale, Matt Seals, Dennis Whistler, Stuart Hendricks, Zishan Lokhandwala

City of Visalia Administration Building
220 N. Santa Fe Street, Visalia CA

AGENDA

A. Introductions and Welcome

B. Public Comment

C. Discussion Items

1. Discussion and comment on recommended changes to Zoning Ordinance Chapter 17.56, Historic Preservation District Ordinance, and cooperation between Committees to provide technical advice on construction projects.

D. Adjournment

In compliance with the Americans Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4443 (Staff Representative) 48-hours in advance of the meeting. For Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services. Visually Impaired - If enlarged print or a Braille copy is desired, please request in advance of the meeting and services will be provided as possible after the meeting. City Staff to the Committee is Cristobal Carrillo, Associate Planner, 559-713-4443, cristobal.carrillo@visalia.city.

Este Aviso es para informarle que habra una audiencia para el público ante el Comité de Preservación Histórica de la Ciudad de Visalia. Para más información, o para dar comentario público respecto a esta solicitud, por favor llame Cristobal Carrillo, Associate Planner, al numero (559) 713-4443 o cristobal.carrillo@visalia.city.

Cualquier material escrito relacionado con un tema en esta agenda presentado al Comité de Construcion sera disponible para inspección pública en la Community Development Department, 315 E. Acequia Avenue, Visalia CA 93291, durante el horarios normal, o por comunicándose con Sandra Cloyd, técnica de permisos, al 559-713-4484, o enviando un correo electrónico a sandra.cloyd@visalia.city.

Additional information about the Historic Preservation Advisory Committee may be found by contacting Cristobal Carrillo, Associate Planner at 559-713-4443, or emailing cristobal.carrillo@visalia.city.

Any written materials relating to an item on this agenda submitted to the Building Advisory Committee after distribution of the agenda packet area available for public inspection in the Community Development Office, 315 E. Acequia Avenue, Visalia CA 93291, during normal business hours, or by contacting Sandra Cloyd, Permit Technician, at 559-713-4484, or emailing sandra.cloyd@visalia.city.



City of Visalia

Memo



To: Historic Preservation Advisory Committee,
Building Advisory Committee

From: Cristobal Carrillo, Associate Planner (559) 713-4443

Date: November 17, 2021

Re: Discussion and comment on recommended changes to Zoning Ordinance Chapter 17.56, Historic Preservation District Ordinance, and cooperation between Committees to provide technical advice on construction projects.

Recommended Action

Staff recommends that the Historic Preservation Advisory Committee (HPAC) and Building Advisory Committee (BAC) receive the staff report and presentation and conduct the following:

1. BAC provide comment and recommendations on potential changes to Visalia Municipal Code Chapter 17.56 (Historic Preservation District Ordinance) as recommended by the Historic Preservation Advisory Committee, for consideration by the Visalia City Council at a future Work Session; and
2. HPAC and BAC develop a streamlined process for the BAC to provide timely input on construction proposals that are slated to come before the HPAC for review.

Historic Preservation Advisory Committee

Background and Duties

As one of the oldest cities in the Central Valley, Visalia hosts an impressive collection of historic sites and structures. Numerous buildings with distinctive architectural styles are present in Visalia, concentrated in the city's historic core. The Historic Preservation District Ordinance (Zoning Ordinance Chapter 17.56) was adopted by the City of Visalia in 1979 in effect to protect and preserve the City's distinct collection of structures.

A cornerstone of the Historic Preservation District Ordinance is the establishment of the Historic Preservation Advisory Committee (HPAC). The HPAC was created to act as the City's steward for historic preservation causes and protector of historic structures. The Committee consists of seven members and is primarily responsible for periodically updating the Local Register of Historic Structures, nominating properties to Local/State/Federal Historic Registers, and reviewing building/planning actions related to historically designated structures. Review of building and planning actions is the most frequent task undertaken by the Committee, consisting of review of proposals for the exterior alteration of historically designated sites and structures. HPAC reviews are conducted with a focus on preserving the integrity of historic structures and maintaining the unified architectural character of historic neighborhoods. Reviews must occur prior to issuance of a building permit. All reviews by the HPAC are

conducted at no expense to the applicant. Any action of the HPAC is appealable to the City Council.

Jurisdiction

The Historic Preservation District Ordinance created two areas of jurisdiction for which the HPAC has review authority (see Attachment No. 1). These two jurisdictional areas cover 763 properties within the City of Visalia and are noted as follows:

- Historic District:

The Historic District consists of three areas containing large groupings of historically significant structures, often with similar architectural styles and elements. A total of 678 properties are located within the boundaries of the Historic District, containing a wide variety of uses such as single and multi-family residences, commercial/office uses, and public buildings. The three areas that make up the Historic District are located north of Downtown Visalia, north of Redwood High School, and within the geographical boundary of South Bridge Street, South Conyer Street, West Tulare Street, and State Highway 198.

- Local Register of Historic Structures:

The Local Register consists of individual properties which have been identified by the HPAC as containing historically significant and unique structures. These properties can be located anywhere within City Limits, in or outside the bounds of the Historic District, though most Local Register structures are concentrated within the downtown and surrounding residential areas. At present the Local Register contains 386 properties, consisting of residential, commercial, office, and public use buildings.

Structures on the Local Register are given one of three classifications, based on varying factors such as historical importance, uniqueness of architecture, and quality of construction. The classifications for Local Register structures are defined in the Historic Preservation Element of the 2014 Visalia General Plan as follows:

- Exceptional: Properties with preeminent historical significance, considered for nomination to the National Register of Historic Places. Examples of this include the Bank of Italy building (128 East Main Street) and the U.S. Post Office, Visalia Town Center Station (111 West Acequia Avenue). These two buildings are listed on the National Register of Historic Places. There are 31 properties currently classified as “Exceptional” on the Local Register.
- Focus: Properties having significant value, of good to excellent quality, considered for local recognition and protection. Examples of this include the R.H. Stevens House (617 North Encina Street) and the Lemuel L. Hyde House (401 West Grove Avenue). There are 160 properties currently classified as “Focus” on the Local Register.
- Background: Properties that may not be historically significant or unique in their construction, but which contribute positively to the “visual fabric” of the City of Visalia. Examples of this can be found in the 800 Block of South Court Street,

which contains eight “Background” Local Register structures exhibiting Bungalow and Mission Revival style architecture. There are currently 195 “Background” structures on the Local Register, the most of any classification.

Note that the Historic Preservation District Ordinance authorizes the HPAC to review building and planning actions for all properties within the Historic District and/or on the Local Register of Historic Structures. All other properties outside the Historic District or not on the Local Register are not subject to HPAC review or the Historic Preservation District Ordinance.

Historic Preservation Ordinance Update

Background

On February 16, 2021, staff presented the 2020 HPAC Annual Report to the Visalia City Council. At the conclusion of the Annual Report presentation, members of the City Council requested the HPAC provide recommendations for how to best revise the Historic Preservation District Ordinance to address the demolition of historic buildings. The request was reiterated at the March 1, 2021, City Council Committees/Commissions Work Session and Regular Meeting.

Following direction from the City Council, the HPAC developed several potential revisions to the Historic District Preservation Ordinance to address areas of deficiency. The HPAC’s recommended revisions are summarized below:

1. *Local Register Structure and Demolition Review*: Removal of language exempting “Background” Local Register structures located outside the Historic District from HPAC review, and addition of language that would allow the HPAC to deny a request for demolition for any property within the Historic District and/or on the Local Register.
2. *Local Register Classifications*: Addition of language to the Historic Preservation Ordinance defining the “Exceptional”, “Focus” and “Background” classifications of the Local Register.
3. *Project Review*: Changes related to project reviews, including alterations to how fencing proposals are evaluated, and removal of language allowing certain projects to occur without HPAC review if “like materials” are used.
4. *Landscaping*: Changes that would limit the percentage of paving permitted in front yard areas.
5. *Local Register Review*: Changes related to the frequency of Local Register reviews.

The recommended revisions were presented to the City Council at an October 4, 2021, Work Session with the HPAC. At the Work Session the City Council voiced outright support for Recommendation Nos. 2 and 5. However for Recommendation Nos. 1, 3, and 4, the City Council expressed reservations over changes to the HPACs review authority, under the reasoning that property owners and/or potential buyers where likely not aware that historic designations where applicable to their sites. Following completion of the Work Session, the City Council requested that the HPAC consult with the BAC to obtain comment and recommendations for Recommendation Nos 1, 3, and 4, and to report back to the City Council with findings.

Proposed Historic Preservation District Ordinance Changes

The following consists of a comprehensive overview of the three recommended ordinance changes proposed for which the HPAC is seeking comment from the BAC. The overview includes information on why the HPAC is requesting the proposed changes. The proposed changes to the Historic Preservation District Ordinance, as recommended by the HPAC, are as follows:

1. Local Register Structure and Demolition Review

- a. Removal of language exempting “Background” classified Local Register structures located outside the Historic District from HPAC review unless proposed for demolition (VMC Section 17.56.050.C.3, et.al.)

As shown in Attachment No. 1, there are 85 properties listed on the Local Register that are located outside the Historic District. The 85 properties are notable in that they are subject to one particular caveat of the Historic Preservation District Ordinance. Section 17.56.110 of the Ordinance states; *In instances where a Local Register structure is located outside the bounds of the Historic District, exterior alterations are only subject to HPAC review if the building is designated “Exceptional” or “Focus”, or if the structure is proposed for demolition.* Of the 85 Local Register properties located outside of the Historic District, 15 are designated as “Exceptional”, 24 as “Focus”, and 36 as “Background”. Per Section 17.56.110 of the ordinance, the 36 Local Register “Background” properties, by virtue of being located outside the Historic District, are not subject to HPAC review unless a structure onsite is proposed for demolition.

This caveat came into play when modifications, and later demolition, were proposed to the Odell-Mor Building, a 1914 Bungalow style five-plex formerly located at 209 North Encina Street. The building was classified as a “Background” structure on the Local Register and was located outside the Historic District. Due to the above, HPAC review was only required when the building was proposed for demolition.

Removal of this exemption provision will authorize the HPAC to review exterior building alterations and zoning actions (ex. Change of Zones, Conditional Use Permits, Variances, and Planned Unit Developments) for any property that is within the Historic District or on the Local Register, regardless of classification. The HPAC proposes the change to prevent the negative alteration and loss of historic structures due to lack of oversight and communication with applicants/property owners. The change, if approved, also strengthens the ability of the HPAC to pursue the purpose and intent of the Historic Preservation District Ordinance, described in Section 17.56.010.B, as to preserve and promote the public health, safety, and welfare of the residents of the city, and to express the commitment of the city to assure that the city's cultural heritage, as reflected in its historic structures, sites, and features is not destroyed.

This change would affect the 36 properties that are listed on the Local Register with a “Background” classification, and which are located outside the bounds of the Historic District. At present, these 36 properties have not been subject to HPAC oversight. If the change is approved, the 36 properties would be subject to HPAC review for any exterior alteration or

zoning action proposed onsite, similar to all other properties within the Historic District and/or on the Local Register.

Per the direction of the City Council at the October 4, 2021, Work Session, staff and the HPAC will be conducting outreach with these 36 property owners to inform them of the potential changes that could result should this change be approved by the City Council. Note, it was also proposed to the City Council that a “grandfather” clause could be established that would exempt the 36 properties from the recommended ordinance change, and only require that any new addition to the Local Register with a “Background” classification, outside of the Historic District, be subject to the new ordinance revision.

- b. Removal of language that prohibits the HPAC from denying a request for demolition unless a structure is classified as “Exceptional” on the Local Register (VMC Sec 17.56.070).

Existing provisions of the Historic Preservation District Ordinance allows the HPAC to review demolition requests for any site within the Historic District and/or Local Register. However, the Ordinance limits the authority of the HPAC to deny a request for the demolition of a historically designated structure. Per Section 17.56.070 of the Ordinance, the HPAC can only deny the issuance of a demolition permit when a structure is listed on the Local Register and is classified as “Exceptional”. In all other instances, the HPAC is compelled to either approve the demolition request or apply an up to six-month moratorium to the issuance of a demolition permit. During the moratorium, the Historic Preservation District Ordinance tasks the applicant and Committee to find alternative uses for the structure and to seek alternative solutions to the demolition or moving of the structure. If no alternatives are found by the time the moratorium has expired, the Committee must approve the application.

This provision came into play when the Odell-Mor Building was proposed for demolition. Due to the building being classified as a “Background” Local Register structure outside the Historic District, the HPAC could not be the request to demolish the building. Instead, the HPAC applied a six-month moratorium and worked with the property owner to find alternatives to demolition. This included finding buyers for the site, identifying alternative uses, and locating vacant sites for relocation of the building. Efforts to find alternatives were unsuccessful and after completion of the moratorium the building was demolished in April 2021.

The HPAC recommends the ordinance be revised to provide the HPAC with the ability to deny a demolition request for any site within the Historic District and/or on the Local Register, regardless of classification. The change would provide the HPAC with another tool with which to enact the purpose and intent of the Historic Preservation District Ordinance, which is to preserve and promote the city’s cultural heritage, by ensuring its historic structures, sites, and features are not destroyed. This change would affect the 355 properties that are currently on the Local Register with a “Focus” and “Background” classification as well the 377 properties that are in the Historic District but not on the Local Register.

Per the direction of the City Council at the October 4, 2021, Work Session, the HPAC will conduct outreach with affected property owners informing them of the potential change if

approved. Staff would then report back on the outcome of those discussions. Note, the following alternatives were also proposed to the City Council regarding this revision:

b.(1) Limit the denial consideration so that it would only be applicable to Local Register structures with a “Focus” and “Background” classification. This would result in 386 structures being subject to the proposed revision related to demolition requests (see Attachment 4) or,

b. (2) Consider a “grandfather” clause that would exempt existing “Focus” and “Background” Local Register properties from the recommended ordinance change, and only require that any new addition to the Local Register with a “Focus” and “Background” classification be subject to the new demolition provision.

If directed to pursue the proposed change that would permit HPAC the ability to deny a demolition request, the change would trigger a requirement for staff to conduct a California Environmental Quality Act (CEQA) review for any demolition request submitted. This could potentially result in fees being charged and additional processing time added to the project for staff to conduct a CEQA review. City fees for a CEQA review could range between \$78.00 for a Categorical Exemption to \$800.00 for an Initial Study/Negative Declaration, with additional fees due for review of technical studies if necessary. Processing periods could vary between one to several months depending on the type and location of a structure proposed for demolition.

3. Project Review

a. Removal of language regarding specific fencing types, in favor of general language that requires consideration of fencing proposals based on compatibility with the architectural style and context of specific buildings on site, and with the surrounding areas (VMC Sec. 17.56.100.E).

The Historic Preservation District Ordinance allows for the review of fencing proposals based on the theory of “Walls of Continuity”, meaning that reviews of new structures such as fencing should attempt to promote “continuous cohesive walls of enclosures along streets”. The Historic Preservation District Ordinance specifically calls out “brick walls”, “wrought iron fencing”, and “evergreen landscapes” as acceptable types of walls of continuity. The HPAC has taken this language and established a longstanding precedent that materials such as chain link fencing are not appropriate for historic areas and do not constitute an appropriate wall of continuity.

Recently, several proposals for chain link fencing have been submitted for HPAC review, with owners arguing that the material should be permitted due to chain link being prevalent in historic areas, and because chain link can be a historically appropriate fencing type in certain instances. Owners have also noted the financial constraints of purchasing fencing types other than chain link. To address these concerns, the HPAC proposes eliminating text referring to walls of continuity and specific fencing types in favor of language that requires consideration of fencing proposals based solely on compatibility with the architectural style and context of specific buildings onsite, and with the immediate surrounding areas. The

intent is to increase flexibility and equitability in the review of fencing, allowing for chain link fencing to be approved when considered appropriate for a property.

Note that at the October 4, 2021, Work Session, the City Council did not support the use of subjective criteria to evaluate fencing, instead requesting the creation of specific standards for fence reviews. The City Council also requested that chain link fencing materials be included as an acceptable fencing type for historically designated sites.

- b. Removal or modification to provisions allowing for reroofing/residing/masonry repairs/chimney repairs/HVAC repair with like materials to occur without HPAC review (VMC Sec 17.56.050.C.7).

The Historic Preservation District Ordinance currently exempts certain projects from HPAC review if the work is conducted with “like materials”, meaning materials that are similar in appearance to what is currently on the structure. This section applies to HVAC repairs and change outs, reroofing of structures, residing of structures, repair of masonry, repair of chimneys, electrical work, plumbing work, and installation of swimming pools. Recently, the HPAC has observed that work of this nature has resulted in significant changes to historic structures. One recent example is of a reroof permit issued for a residence at 415 West Goshen Avenue, which resulted in the loss of a roof dormer vent, a unique and significant feature that would have been reviewed by the HPAC if proposed for removal. If directed to move forward with this change, proposals for HVAC repair, reroofs, residing, masonry work, and chimney repair will be referred to the HPAC for their review, regardless of material types used. The intent is to ensure that oversight is provided so that significant architectural features are not removed.

4. Landscaping

- a. Inclusion of language requiring historically designated sites to maintain a minimum 50% of front yard areas for landscaping purposes.

The Historic Preservation District Ordinance does not currently include language regarding the inclusion of landscaping in historic areas. The intent of this change is to prevent the paving of entire front yard areas, to encourage placement of landscaping for the beautification of historic sites and neighborhoods. The 50% provision would only be applicable to front yards and would still allow sufficient space for the paving of driveways for garages and entryways.

Note that at the October 4, 2021, Work Session, the City Council expressed concern over requiring a certain percentage of front yard to be devoted to landscaping during a time when droughts are prevalent. Specifically, the City Council asked whether materials like rock or synthetic lawn would be acceptable under the proposed revision. At the meeting, Chair Walter Deissler indicated that such materials would be acceptable, as the intent of the change was to prevent paving of front yard areas.

Cooperation Between Historic Preservation Advisory Committee and Building Advisory Committee

Background

During the City Council's annual planning workshop, the Council asked for a comprehensive review of the Committees and Commissions. The Council provided direction to staff on possible changes and appointed a Council Subcommittee of Mayor Steve Nelsen and Council Member Brett Taylor to work with staff to flesh out changes consistent with the City Council direction. Following discussions with staff, the City Council held four public hearings from January to May 2021 in which each Committee and Commission was reviewed. The reviews culminated in several recommendations presented at the May 3, 2021, meeting of the City Council.

For the HPAC and BAC, the City Council provided the following direction:

Technical Advice to Historic Preservation Committee – Request that the Building Advisory Committee develop a streamlined process to provide timely input on construction proposals that are slated to come before the Historic Preservation Advisory Committee. The Subcommittee feels that professional input on the costs and complexity of some of the proposed construction projects that come before the HPAC could be beneficial to the applicants and the HPAC.

The City Council also requested that any process formulated by the BAC and HPAC be presented to the City Council for review and consideration.

At present additional information on the intent of the City Council has not been provided. Staff notes that HPAC building reviews typically consists of items that would not warrant additional review by the BAC. This includes reviews of new fencing, window change outs, exterior modifications to siding/roofing, and other minor site modifications. While proposals for new development are submitted on occasion, they make up the minority of reviews. As such, staff recommends cooperation through the following;

- 1. That any consultation between the BAC and HPAC be conducted through a joint meeting of its sub-committees.*

While the HPAC meets twice a month, on the 2nd and 4th Wednesdays of every month, the BAC currently only meets quarterly. The HPAC meets twice a month to quickly review proposals, so that Building Permit issuance is not unduly delayed. Allowing for consultation through a sub-committee consisting of members of both committees would allow maximum flexibility and streamlining, so that BAC input can be received and incorporated into reviews in a timely manner.

- 2. That consultation be focused on proposals for new development and demolition requests.*

Given the nature of most proposals subject to HPAC review, the sub-committee would be consulted only when new ground up development or demolitions are proposed. For new development, the sub-committee could advise on whether HPAC requirements would pose

undue burdens. For demolition requests the sub-committee could provide guidance on whether a building poses a public safety hazard, or if it is able to be salvaged or relocated.

3. *Should a project come forward outside of new development or demolition in which staff or the HPAC believes BAC input would be beneficial, the sub-committee will be called to meet, review the project, and provide guidance.*

In instances where a project that is not a demolition or new development poses issues outside the realm of the HPAC's expertise, the sub-committee can be called upon to meet and provide input. Sample queries to the subcommittee could include whether a proposed method of window replacement is feasible, whether a requirement to place a specific type of material would be cost prohibitive, or whether certain features of a building are historically accurate.

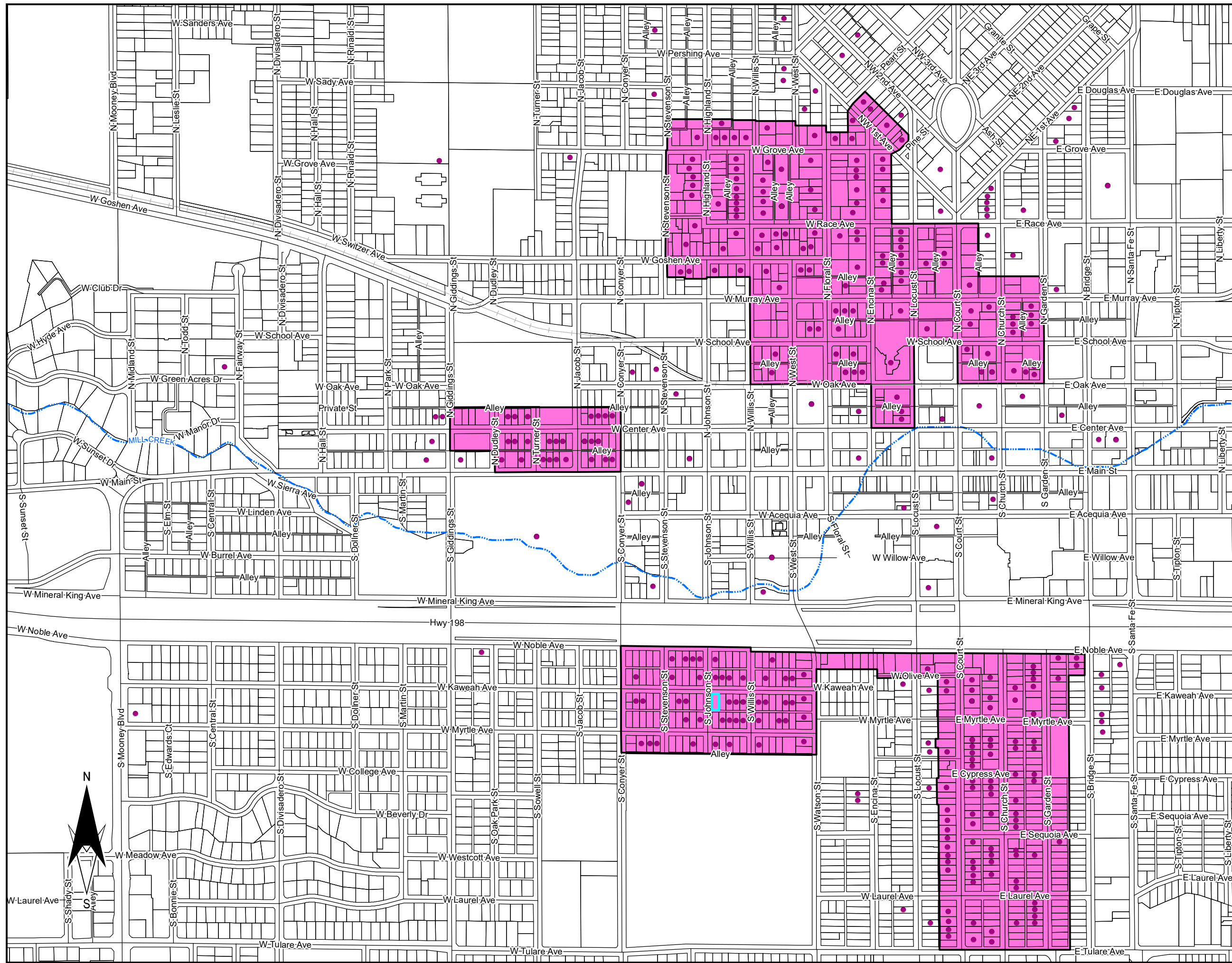
Conversely, the HPAC currently has within its membership a building contractor and two architects. As such, the HPAC and BAC could also choose to recommend to the City Council that after evaluation by both Committees, it was determined that consultation between the two groups is not necessary given the experiences of the current membership within the HPAC. This recommendation would come with the caveat that the HPAC could consult with the BAC should any issue arise requiring BAC assistance.

Attachments

1. Historic District and Local Register Map



Historic District & Local Register Sites



- Historical District
- Local Registry
- City Limits
- Streets
- Railroad
- Waterways
- Parcels

