



REPORT TO THE CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: July 11, 2022

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SUBJECT: Zoning Text Amendment No. 2022-01: A request by the City of Visalia to amend Visalia Municipal Code Chapter 17.56 (Historic Preservation District) as to: A) requiring “Background” classified Local Register structures located outside the Historic District to undergo Historic Preservation Advisory Committee (HPAC) review for exterior alteration requests, B) granting the HPAC the ability to deny demolition requests for any property within the Historic District and/or listed on the Local Register, C) adding definitions for Local Register classifications, D) adding specific criteria for the evaluation of fencing proposals within the Historic District and/or on the Local Register, E) limiting the percentage of paved surfaces allowed within front yard setback areas for properties within the Historic District and/or on the Local Register; and F) changing the frequency of Local Register reviews. The project area is contained within the City of Visalia’s Historic District and Local Register of Historic Structures.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2022-30, recommending that the City Council approve adoption of Zoning Text Amendment No. 2022-01. This recommendation is based on the information contained in the staff report, compatibility with the purpose and intent of the Zoning Ordinance, and Historic Preservation Element of the Visalia General Plan.

RECOMMENDED MOTION

I move to recommend that the City Council approve Zoning Text Amendment No. 2022-01, based on the findings and conditions in Resolution No. 2022-30.

PROJECT DESCRIPTION

Background

In 1979 Visalia Municipal Code Chapter 17.56 (Historic Preservation District Ordinance) was adopted to protect and preserve the City’s distinct collection of unique and historically significant structures. The Ordinance created the Historic Preservation Advisory Committee (HPAC) to oversee building and zoning actions related to historically significant sites and structures within two areas of jurisdiction: the Historic District and the Local Register of Historic Structures (see Exhibit “A”).

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. 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, inside or outside of the bounds of the Historic District. The Local Register

currently contains 368 properties. Structures on the Local Register are given one of three classifications, based on factors such as historical importance, uniqueness of architecture, and quality of construction. The classifications are defined as follows:

- Exceptional: Properties with preeminent historical significance, considered for nomination to the National Register of Historic Places.
- Focus: Properties having significant value, of good to excellent quality, considered for local recognition and protection.
- 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.

The HPAC has review authority over projects conducted within the Historic District and/or on sites located outside the Historic District and listed as "Exceptional" or "Focus" on the Local Register. “Background” Local Register structures located outside the Historic District are not subject to HPAC review unless proposed for demolition. Actions of the HPAC are appealable directly to the Visalia City Council.

Project Description

The Historic Preservation Ordinance Update is a city-initiated request to implement a series of historic preservation-related Zoning Ordinance text amendments. In early 2021, the Visalia City Council directed the HPAC to provide recommendations for revision of the Historic Preservation District Ordinance to address concerns that the ordinance does not adequately protect historically designated structures and sites from destruction and blight.

Proposed Ordinance updates were formulated by the HPAC and discussed with the Visalia City Council and Visalia Building Advisory Committee at work sessions held on October 10, 2021, November 17, 2021, and February 22, 2022. Upon completion of the work sessions, the City Council directed the HPAC to pursue six areas of revision. The proposed revisions are as follows:

- A. Update the Ordinance so that exterior alterations to “Background” Local Register structures located outside the Historic District are subject to HPAC review.
- B. Grant the HPAC the ability to deny demolition requests for any property within the Historic District or Local Register.
- C. Add definitions for Local Register classifications to the Ordinance.
- D. Add specific criteria for the evaluation of fencing proposals.
- E. Limit the percentage of paved surfaces allowed within front yard areas.
- F. Change the frequency of Local Register reviews.

The proposed amendments to the Historic Preservation District Ordinance will affect only those areas contained within the City of Visalia’s Historic District and properties listed on the Local Register of Historic Structures. A map containing the location of the existing Historic District and Local Register sites is included as Exhibit “A”. All other areas of the City, not subject to the Historic District and/or Local Register, will be unaffected by the proposal unless a historic designation or Local Register status is applied in the future by the Visalia City Council.

Historic Preservation Advisory Committee Review

HPAC review of the proposal was completed at a special called meeting held May 26, 2022. At that meeting, the Committee recommended approval of the Historic Preservation Ordinance Update to the Visalia Planning Commission on the basis that the proposal is consistent with the Zoning Ordinance and the Historic Preservation Element of the Visalia

General Plan, and that the proposal will not be injurious to the character or overall uniformity of the Historic District and Local Register of Historic Structures. The approval letter from the HPAC is included as Exhibit “B”.

The Planning Commission must consider the recommendation of the HPAC and provide a recommendation to the Visalia City Council for consideration. Final authority to approve the proposal resides with the City Council.

PROJECT EVALUATION

General Plan Consistency

The proposed zoning text amendments are consistent with the following objectives and policies of the Visalia General Plan Historic Preservation Element:

Historic Preservation Element Objective H-O-1 – Assure the recognition of the City’s history through the preservation of historic sites, structures and featuring zoning overlay designation and discretionary review procedures for the Historic District.

Historic Preservation Element Policy H-P-7 – Continue to use the Historic Preservation Ordinance development review process to protect structures listed on the Local Register of Historic Structures or located within the Historic District.

Historic Preservation Element Policy H-P-9 – Periodically survey historic resources and nominate historically and/or architecturally significant sites, structures, and neighborhoods to the Local Register of Historic Structures and/or Historic District, State of California Inventory of Historic Resources, National Register of Historic Places to ensure they are protected.

Historic Preservation Element Policy H-P-10 – Regularly review the Local Register of Historic Structures to ensure that properties are appropriately listed.

Specifically, the proposed amendments related to review of demolition requests and “Background” structures ensure that all protections of the Historic Preservation Ordinance can be fully applied to all structures in the Historic District and on the Local Register. Provisions for fencing and landscaping assist in the preservation of historically designated areas by ensuring compatibility of fencing designs and streetscapes. Changes to Local Register reviews do not conflict with timeframes identified in H-P-9 and H-P-10 and will provide the HPAC with time to conduct thorough reviews without constraining the Committee and staff from pursuing other projects.

Proposed Zoning Text Amendments

The following are the updates to the Historic Preservation District Ordinance proposed by the HPAC, and which the City Council directed be pursued. The proposals include the associated ordinance text changes required to implement the provision. Changes proposed to Visalia Municipal Code Chapter 17.56 are noted with underline & italics for additions and ~~strikeout~~ for deletions.

- A. **Update the Ordinance so that exterior alterations to “Background” Local Register structures located outside the Historic District are subject to HPAC review.**

Summary of Recommended Action: Currently, if a Local Register structure is located outside the Historic District, and is classified as “Background”, it is only subject to HPAC review if proposed for demolition. Local Register structures located outside the Historic District and classified as “Background” that propose exterior alterations, additions, and construction of new structures, are exempt from HPAC review. Removal of this exemption provision will authorize the HPAC to review exterior building alterations 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 welfare through protection of the City's historic structures, sites, and features.

This change would affect 36 properties which are currently located outside the Historic District and listed on the Local Register with a "Background" classification. At present, these 36 properties are not subject to HPAC oversight for exterior alterations. If this proposed change is approved, the 36 properties would be subject to HPAC review for any exterior alteration proposed, similar to all other properties within the Historic District and/or on the Local Register with a "Focus"/"Exceptional" classification. Given the small number of properties impacted, this change is not expected to have a significant impact on staff time.

Recommended Changes to Zoning Ordinance:

- 17.56.040 Regulation of structures.

No structure shall be constructed, altered or enlarged that is located in the historic district or that is listed as an ~~"exceptional" or "focus" structure~~ on the local register and ~~is located outside the historic district~~, unless such a permit is issued pursuant to the terms of this chapter. No structure listed on the local register shall be moved or demolished unless a permit is issued pursuant to the terms of this chapter.

- 17.56.050.C.3: It shall be the duty of the historic preservation advisory committee to review all applications for the construction or exterior alteration or enlargement of structures within the historic district or ~~for structures located outside the historic district~~ and listed as ~~"exceptional" or "focus" structures~~ on the local register. The committee shall have the power to approve, modify or disapprove such applications before a building permit can be issued, subject to the provisions of Sections 17.56.100 and 17.56.110.
- 17.56.050.C.4: It shall be the duty of the historic preservation advisory committee to review all applications for sign permits within the historic district or for properties ~~located outside the historic district~~ and listed as ~~"exceptional" or "focus"~~ on the local register. The committee may recommend approval, conditional approval or denial of the sign permit application based upon the proposed design and/or materials, but not upon the proposed size or location. The application shall then be presented to the proper issuing authority for sign permits, pursuant to Chapter 17.48. Sign permits shall be issued only in compliance with the recommendation of the committee. Approval by the committee in no way implies approval by the issuing authority for sign permits, whose approval must also be secured pursuant to Chapter 17.48.
- 17.56.110 Local register structures.

This section contains criteria for reviewing all applications for building permits for exterior rehabilitation, renovation, alteration, reconstruction, or enlargement of any local register structure ~~within the historic district, or any "exceptional" or "focus" local register structure outside the historic district~~, and for any interior modification that requires the issuance of a building permit for a publicly owned and publicly accessible local register structure. In reviewing an application, the historic preservation advisory committee shall consider the following general standards and principles:

B. Grant the HPAC the ability to deny demolition requests for any property within the Historic District or Local Register, regardless of classification.

Summary of Recommended Action: The Historic Preservation District Ordinance requires the HPAC to review all applications for demolition of structures listed on the Local Register or located within the Historic District. However, the ordinance only grants the HPAC the authority to deny a request for demolition of a historically designated structure in instances where the site is on the Local Register with an “Exceptional” classification. In all other instances, the HPAC is compelled to either approve a demolition on the grounds that the structure is a public hazard, approve the demolition request outright, or approve the demolition request with a moratorium of up to six months on the issuance of a Demolition or Moving Permit. The exemption provision has resulted in a number of historic buildings being demolished, mostly recently the Odell-Mor Building located at 209 N. Encina Street. The proposed change will provide the HPAC with another tool with which to enact the purpose and intent of the Historic Preservation District Ordinance, to preserve and promote the city's cultural heritage, by ensuring its historic structures, sites, and features are not destroyed.

If approved, the change will 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. Since the ordinance already permits the HPAC to review demolition requests for any site within the Historic District or Local Register, the only significant effect of the proposed change is the possibility that a demolition request may be denied. To that effect, staff’s research has found that review of demolition requests is rare, and that such requests are almost always approved. Between January 2011 and May 2022, the HPAC has only reviewed eight (8) demolition requests. Six of the eight requests were for main structures, such as a residence or office. In all except one instance, the HPAC approved the demolition request. The sole exception was for the Odell-Mor building, which resulted in the application of a six-month moratorium, after which a demolition permit was issued. Furthermore, any denial of a demolition request by the HPAC can be appealed by an applicant free of charge to the City Council.

CEQA Considerations: Approval of the proposal will trigger a requirement for staff to conduct a California Environmental Quality Act (CEQA) review for any demolition request submitted for review. The possibility of denial will make any demolition request a discretionary matter, triggering CEQA processes. This could potentially result in fees being charged and additional processing time added for review of the demolition request. HPAC review is currently free of charge. The addition of CEQA processes will increase fees to \$78.00 for a Categorical Exemption or \$800.00 for an Initial Study/Negative Declaration. A separate \$58.00 filing fee is also required for the filing of a CEQA review determination with the Tulare County Clerk. The preparation of a CEQA Categorical Exemption is not expected to have a significant impact on the processing of a demolition request. However, if an Initial Study/Negative Declaration is required (as would be the case for the proposed demolition of a structure adjacent to a State Highway or on the National Register of Historic Places), the increased level of CEQA review will increase fees for the applicant and add processing periods between one to several months depending on the project. The preparation of an Initial Study/Negative Declaration could also result in the requirement that technical studies be submitted to help address issues related to the demolition request. The cost for staff to review technical studies will add an additional \$238.00 fee per study to a demolition request. Applicants will also be subject to additional fees charged by consultants to prepare the required technical studies.

Recommended Changes to Zoning Ordinance:

- 17.56.050.C.5: It shall be the duty of the historic preservation advisory committee to review all applications for the moving or demolition of structures in the historic district or listed on the local register. The committee shall have the power to approve, conditionally approve, or disapprove such applications, subject to the provisions of Section 17.56.130.
- ~~17.56.070.B.3: In the case of local register structures that have been classified as "exceptional," the The committee may deny an application for demolition, after the six-month moratorium has expired. Denial of a demolition permit by the committee is subject to appeal to the city council pursuant to Section 17.56.060.~~

C. Addition of language to the Historic Preservation Ordinance defining the “Exceptional”, “Focus” and “Background” classifications of the Local Register.

Summary of Recommended Action: Section 17.56.030 (Definitions) of the Historic Preservation District Ordinance does not provide definitions for the three Local Register classifications noted in the Historic Preservation Element of the 2014 Visalia General Plan. This change will update the definitions section of the ordinance to include the classifications, to codify the language provided in the Historic Preservation Element.

Note that staff also recommends including language under the “Local Register” definition to clarify that the designation applies to all structures located within the boundaries of the property which the designation has been applied to and not just the primary structure alone. This has been the existing interpretation of the language existing in the ordinance by staff and the HPAC. It ensures compatibility of all structures located on the same site as a historically significant structure. The proposed change will assist in clarifying the applicability of the Local Register designation.

Recommended Changes to Zoning Ordinance:

- 17.56.030.B Definitions.
 - "Local register" means the listing of local historic structures, sites and features adopted by the city council and maintained by the historic preservation advisory committee, and incorporated herein by reference. *This designation is inclusive of all structures and features located within the boundaries of the property for which the local register designation has been applied.*
 - *“Local register, Background” means 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.*
 - *“Local register, Exceptional” means properties with preeminent historical significance, considered for nomination to the National Register of Historic Places.*
 - *“Local register, Focus” means properties having significant value, of good to excellent quality, considered for local recognition and protection.*

D. Removal of language regarding specific fencing types, in favor of general language requiring consideration based on style and context:

Summary of Recommended Action: The Historic Preservation District Ordinance states that review of fencing proposals within the Historic District should consider “Walls of Continuity”, meaning “continuous cohesive walls of enclosures along streets”. The Historic Preservation District Ordinance specifically calls out “brick walls”, “wrought iron fences”, and “evergreen landscape masses” as acceptable types of fencing that creates suitable “walls of continuity”. No specific fencing language is included for Local Register sites. As such, staff has generally also applied the “Walls of Continuity” guidance to Local Register sites. As a result of the existing language in the ordinance, the HPAC has 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.

In 2021, several proposals for chain link fencing were submitted for HPAC review. Property owners argued that the material should be permitted due to the prevalence of chain link in the Historic District and because chain link can be historically appropriate in certain contexts. Owners also noted the financial constraints of purchasing fencing types other than chain link. When the comments from property owners were shared with the City Council at the October 2021 work session, the Council was sympathetic to the concerns. At that meeting the Council requested that the HPAC create specific standards for fence reviews and that such standards be inclusive of chain link fencing materials. This directive was altered at the February 2022 follow up work session, wherein the City Council expressed reservations over the outright approval of all chain link fencing proposals.

To address the directives of the City Council, staff recommends the elimination of text referencing “walls of continuity” in favor of definitive language that encourages repair of historic fencing and use of specific new materials that are compatible with historic structures and streetscapes. Recommended changes also allow for the consideration of chain link fencing, subject to findings which would allow for approval based on historic compatibility or economic hardship. The intent is to increase flexibility and equitability in the review of fencing, allowing for a wide range of fencing types within the Historic District and Local Register.

Recommended Changes to Zoning Ordinance:

- 17.56.100 Building design compatibility criteria.
 - ~~E. Walls of Continuity. Physical ingredients such as brick walls, wrought iron fences, and evergreen landscape masses should be used to form continuous cohesive walls of enclosure along the street.~~
 - FE. Landscaping.
 - GF. Directional Expression of Front Elevations.
- 17.56.120 Fencing and wall design criteria.

This section contains criteria for reviewing all applications for new fencing and walls within the historic district or on the local register, and for any application for rehabilitation, renovation, alteration, reconstruction, or enlargement of fencing and walls within the historic district or on the local register. In reviewing an application, the historic preservation advisory committee shall consider the following general standards and principles:

A. Fencing proposals shall be used to form continuous cohesive walls of enclosure along the street, and shall be compatible with the architectural style of the main building and historic district.

B. If historic walls or fencing exist on a property, preference should be given to repair of the existing fencing or wall to restore its original appearance to the extent possible. If removal and replacement of historic fencing and walls is proposed, preference should be given to the use of like materials to preserve the appearance of the original fencing or wall.

C. Proposals for new fencing or walls should be compatible with the character and architectural elements of the historic structure onsite and its period of original construction.

D. Appropriate materials for fencing and walls shall include, but not be limited to, landscape masses, wood, wood pickets, wrought iron, cast iron, masonry walls, brick, stone, decorative wire, and vinyl materials that mimic the appearance of painted wood.

E. Proposals for chain link fencing in areas visible from the street shall be discouraged. The historic preservation advisory committee may grant an application for chain link fencing along public streets if, on the basis of the application and the evidence submitted, the committee makes one of the following findings:

1. That the proposed chain link fencing is compatible with the historic structure and the neighborhood;

2. That sufficient evidence has been provided indicating that the applicant will experience an economic hardship should the chain link fencing not be permitted to be placed onsite;

• ~~17.56.120~~ 17.56.130 Role of building official.

• ~~17.56.130~~ 17.56.140 Separability.

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

Summary of Recommended Action: The Historic Preservation District Ordinance does not currently include language regarding the inclusion of landscaping in historic areas. As such there is no oversight of landscaping improvements on historically designated sites. This has resulted in loss of aesthetically appealing streetscapes due to the paving of front yard areas and removal of mature plantings. To address this issue, it is recommended that language be included in the ordinance requiring sites within the Historic District or Local Register to maintain a minimum 50% of front yard areas for landscaping purposes. The intent is to prevent front yard areas from being permanently paved and to encourage placement of landscaping for the beautification of historic sites and neighborhoods. The 50% provision would only be applicable to front yard setback areas and would still allow sufficient space for the paving of driveways for garages and entryways. Alternative landscape materials such as river rock and synthetic turf would still be permitted under this proposal.

Recommended Changes to Zoning Ordinance:

• 17.56.050.C:

○ 8. Sites within the historic district or on the local register shall reserve a minimum 50% of the required front yard setback area for the purposes of landscaping. This shall include non-living ground cover and turf.

F. Modification of language requiring the annual review of the Local Register of Historic Structures.

Summary of Recommended Action: The Historic Preservation District Ordinance currently mandates that the Local Register be reviewed on an annual basis, with recommendations for removal or addition of structures provided to the Planning Commission and City Council for certification. Reviews of this sort require increased efforts from committee members and staff to survey, research, and evaluate existing and potential Local Register sites. Due to limitations in staff time and resources, undertaking tasks of this magnitude and frequency are not always feasible.

It is recommended that comprehensive reviews of the Local Register be conducted on a five-year basis to allow sufficient time for review and analysis. Please note that such a change would not prevent the HPAC from conducting Local Register reviews within a quicker timeframe for individual sites, or the entire Local Register, if resources are available.

Please note that the HPAC is in the process of conducting a comprehensive update to the Local Register of Historic Structures (HPAC Item No. 2022-12). The intent is to ensure that all Local Register sites are given the appropriate classification. Any potential changes to the classification of Local Register structures will require review by the HPAC, Planning Commission, and City Council at public hearings.

Recommended Changes to Zoning Ordinance:

- 17.56.050.C.6: It shall be the duty of the historic preservation advisory committee to compile and update the historic survey and inventory, and to nominate properties to the local register and the National Register of Historic Places. In selecting properties for nomination to the local register, the board shall consider:
 - a. Architectural significance and style;
 - b. Historic significance, including age of structure, original owners, and events related to the structure, site or original owners.

The committee shall review the local register ~~annually~~ every five years, make recommendations for the addition or deletion of structures or sites, and submit said recommendations to the planning commission and city council for certification.

Public Outreach

The HPAC conducted a public outreach meeting on March 30, 2022, to answer questions and solicit comment on the text amendments proposed for Historic Preservation District Ordinance Update. A subsequent public hearing was held on May 26, 2022, by the HPAC. For both meetings, public notices were sent to inform members of the public of the proposed changes. Public comments received by the HPAC have been positive, with stakeholders generally in favor of the changes proposed.

For the July 11, 2022, Planning Commission public hearing, a public notice was published in the Visalia Times-Delta. At present, no public comment has been received for the proposal.

Environmental Review

The requested action is considered exempt under Section 15061(b)(3) Per Section 15061 (b) (3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption has been prepared for the project because Section 15061 (b) (3) states that the project is exempted from CEQA if the activity is covered by the common-sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the

activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The proposed text amendment to Visalia Municipal Code Chapter 17.56 (Historic District Preservation Ordinance) will not have a significant effect on the environment.

RECOMMENDED FINDINGS

1. That the proposed development is consistent with the Zoning Ordinance, the Historic Preservation Element, and the Visalia General Plan, as described in the following Historic Preservation Element objectives and policies:

Historic Preservation Element Objective H-O-1 – Assure the recognition of the City’s history through the preservation of historic sites, structures and featuring zoning overlay designation and discretionary review procedures for the Historic District.

Historic Preservation Element Policy H-P-7 – Continue to use the Historic Preservation Ordinance development review process to protect structures listed on the Local Register of Historic Structures or located within the Historic District.

Historic Preservation Element Policy H-P-9 – Periodically survey historic resources and nominate historically and/or architecturally significant sites, structures, and neighborhoods to the Local Register of Historic Structures and/or Historic District, State of California Inventory of Historic Resources, National Register of Historic Places to ensure they are protected.

Historic Preservation Element Policy H-P-10 – Regularly review the Local Register of Historic Structures to ensure that properties are appropriately listed.

2. That the proposal will not be injurious to the character or overall uniformity of the Historic District and Local Register of Historic Structures.
3. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption).

APPEAL INFORMATION

The Planning Commission’s recommendation on the project is advisory only and is automatically referred to the Visalia City Council for final action.

Attachments:

- Related Plans and Policies - Visalia Municipal Code Chapter 17.56 (Historic Preservation District)
- Resolution No. 2022-30
- Exhibit “A” – Historic District and Local Register of Historic Structures Map
- Exhibit “B” – Historic Preservation Advisory Committee No. 2022-11, May 26, 2022, Approval Letter

RELATED PLANS AND POLICIES

Chapter 17.56 HISTORIC PRESERVATION DISTRICT

Sections:

- [17.56.010](#) Purposes and intent.
- [17.56.020](#) Components of the chapter.
- [17.56.030](#) Definitions.
- [17.56.040](#) Regulation of structures.
- [17.56.050](#) Creation of historic preservation advisory committee.
- [17.56.060](#) Appeal.
- [17.56.070](#) Demolition or moving of historic structures.
- [17.56.080](#) Ordinary maintenance and repair.
- [17.56.090](#) Exceptions to Visalia Municipal Code requirements.
- [17.56.100](#) Building design compatibility criteria.
- [17.56.110](#) Local register structures.
- [17.56.120](#) Role of building official.
- [17.56.130](#) Separability.

17.56.010 Purposes and intent.

A. There is created a historic district, the boundaries of which are shown on the two maps entitled, "Historic District Overlay," which accompany the ordinance codified in this chapter and which are on file in the office of the city clerk, on the 19th day of November, 1979 and dated 19th day of November, 1979. Said maps are adopted and made a part of this chapter.

B. This chapter is enacted 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, through:

1. The protection and preservation of historic structures;
 2. The preservation and maintenance of historic residential areas as cohesive neighborhood units;
 3. The enhancement of property values in the older areas of the city;
 4. The assurance that the community's cultural heritage, as reflected in the environment, is not lost;
 5. The encouragement of the development of vacant and incompatibly developed properties in accordance with the character of the historic district;
 6. The involvement of residents of the older areas in planning their own neighborhoods.
- (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7700)

17.56.020 Components of the chapter.

This chapter shall include:

1. The ordinance, which specifies the historic district overlay designation, design evaluation criteria, and the formation, powers and duties of a historic preservation advisory committee;

2. Creation of a local register of historic structures, sites and features that may be modified from time to time by resolution of the city council.

3. Two maps that designate the historic district overlay. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7701)

17.56.030 Definitions.

A. All definitions, general and specific, set forth in Section [17.04.030](#) shall be applicable to this chapter.

B. Definitions.

"Construction" means any building activity requiring the issuance of a building permit, except for any activity that does not affect the exterior appearance of the structure.

"Enlargement" means construction that results in the expansion of the gross floor area of a structure.

"Historic structure" means a structure listed on the Local Register.

"Local register" means the listing of local historic structures, sites and features adopted by the city council and maintained by the historic preservation advisory committee, and incorporated herein by reference. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7702)

17.56.040 Regulation of structures.

No structure shall be constructed, altered or enlarged that is located in the historic district or that is listed as an "exceptional" or "focus" structure on the local register and is located outside the historic district, unless such a permit is issued pursuant to the terms of this chapter. No structure listed on the local register shall be moved or demolished unless a permit is issued pursuant to the terms of this chapter. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7703)

17.56.050 Creation of historic preservation advisory committee.

In order to execute the purposes declared in this chapter, there is created a historic preservation advisory committee.

A. Committee Membership.

1. The historic preservation advisory committee shall consist of seven members appointed by the city council to serve without compensation. All committee members shall be residents of the city at the time of their appointment and will lose their position if they move outside the city limits during their term of office. Members shall be appointed on the basis of:

- a. Relevant professional or business qualifications;
- b. Ownership of property within the historic district;
- c. Practical experience in restoration or preservation;
- d. Exceptional civic interest.
- e. Terms of office shall be for two years.

2. Vacancies that may occur on the committee shall be filled by appointment of a new member of the city council for the duration of the unexpired term of office. The Council has the option of appointing up to two Historic Preservation Advisory Committee alternates. Should a mid-term vacancy occur, an alternate may automatically fill the unexpired term. The council shall also have the power to remove any member from the committee by an affirmative vote of three council members.

3. Four members of the committee shall constitute a quorum for the transaction of business.

B. Procedures for the Review of Applications. The operating procedures of the historic preservation advisory committee shall be prescribed from time to time by resolution of the city council, for the purpose of carrying into effect the standards and specifications of this chapter. The committee may adopt, amend, and repeal rules and regulations governing the conduct of its meetings, as long as said rules do not violate the procedures established by the city council or the terms of this chapter.

C. Duties and Responsibilities. The historic preservation advisory committee shall review applications only as specified in this chapter, consistent with the rules and regulations adopted from time to time by resolution of the city council (as referred to in Section [17.56.050\(B\)](#)). Applications shall be approved or disapproved based solely on the considerations set forth in this chapter. It is the intent of this chapter that the historic preservation advisory committee shall encourage applicants to make alterations and repairs to structures in the spirit of the architectural style of the structure. The duties and responsibilities of the historic preservation advisory committee shall include the following:

1. It shall be the duty of the historic preservation advisory committee to review all proposed zoning actions (zone changes, conditional use permits, special zoning exceptions, planned unit developments and variances) within the historic district. The committee may recommend approval, conditional approval, modification or disapproval of an application based upon the expected impact of the proposed zoning action on the historic or architectural significance of the affected structure(s), neighborhood, or the entire historic district. The committee's recommendation shall be forwarded to the planning commission for its consideration.

2. It shall be the duty of the historic preservation advisory committee to review all applications for site plan review permits within the historic district for compliance with the provisions of this chapter. Items that shall be subject to review by the committee include but are not limited to vehicular access, location and screening of parking, setbacks, location of service use areas, walls and landscaping. The committee may recommend approval, conditional approval, disapproval or resubmittal of the site plan review permit application. The committee's recommendation shall be forwarded to the site plan review committee for its consideration.

3. It shall be the duty of the historic preservation advisory committee to review all applications for the construction or exterior alteration or enlargement of structures within the historic district or for structures located outside the historic district and listed as "exceptional" or "focus" structures on the local register. The committee shall have the power to approve, modify or disapprove such applications before a building permit can be issued, subject to the provisions of Sections [17.56.100](#) and [17.56.110](#).

4. It shall be the duty of the historic preservation advisory committee to review all applications for sign permits within the historic district or for properties located outside the historic district and listed as "exceptional" or "focus" on the local register. The committee may recommend approval, conditional approval or denial of the sign permit application based upon the proposed design and/or materials, but not upon the proposed size or location. The application shall then be presented to the proper issuing authority for sign permits, pursuant to [Chapter 17.48](#). Sign permits shall be issued only in compliance with the recommendation

of the committee. Approval by the committee in no way implies approval by the issuing authority for sign permits, whose approval must also be secured pursuant to [Chapter 17.48](#).

5. It shall be the duty of the historic preservation advisory committee to review all applications for the moving or demolition of structures listed on the local register. The committee shall have the power to approve, conditionally approve, or disapprove such applications, subject to the provisions of Section [17.56.130](#).

6. It shall be the duty of the historic preservation advisory committee to compile and update the historic survey and inventory, and to nominate properties to the local register and the National Register of Historic Places. In selecting properties for nomination to the local register, the board shall consider:

- a. Architectural significance and style;
- b. Historic significance, including age of structure, original owners, and events related to the structure, site or original owners.

The committee shall review the local register annually, make recommendations for the addition or deletion of structures or sites, and submit said recommendations to the planning commission and city council for certification.

7. Permits may be issued for air conditioners, electrical work and plumbing work that is visible from a public right-of-way when the chief building official determines that the work insignificantly affects the exterior of a structure, or that reasonable alternatives as to location or screening have been employed. The building official may forward to the historic preservation advisory committee applications for permits for this type of work when it appears that the appearance of a structure may be significantly altered. This subsection shall not apply to the following types of permit applications:

1. Reroofing with like materials;
2. Residing with like materials;
3. Swimming pools;
4. Masonry repairs with like materials;
5. Chimney repair with like materials. (Ord. 2017-01 (part), 2017: Ord. 2008-11 § 1, 2008: Ord. 2001-13 § 4 (part), 2001: prior code § 7704)

17.56.060 Appeal.

Any person or persons jointly or severally aggrieved by a decision of the historic preservation advisory committee may make an appeal in writing therefrom to the city council within ten days of said action. The city council, after proceeding in the manner as provided therein and with the same power and authority there invested in passing upon appeals before it under the provisions of law and this chapter and in the exercise thereof, may reverse, affirm or modify or affirm as modified the action of the historic preservation advisory committee. Appeals of a decision of the site plan review committee shall be filed with the planning commission in the manner prescribed in Section [17.28.050](#). (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7705)

17.56.070 Demolition or moving of historic structures.

A. The demolition of structures listed on the local register, and the moving of local register structures from their sites, shall be discouraged. The historic preservation advisory committee

shall review all applications for demolition or moving permits for structures on the local register and for any structures within the historic district boundaries.

B. After due consideration, the committee shall exercise one of the options listed below:

1. The committee may approve the demolition permit if it finds that the structure is a hazard to public health or safety, as determined by the building official or his designee, in consultation with the historic preservation advisory committee.

2. The committee may decide that up to a six-month moratorium be placed upon the processing of the demolition or moving permit, in order to allow time for the applicant and the 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, after the six-month moratorium has expired, the committee must approve the application.

3. In the case of local register structures that have been classified as "exceptional," the committee may deny an application for demolition, after the six-month moratorium has expired. Denial of a demolition permit by the committee is subject to appeal to the city council pursuant to Section [17.56.060](#).

4. The committee may approve the application.

C. When an application is acted upon, the committee shall notify the building official of the approval, conditional approval or denial. Upon receipt of said notification, the building official shall process the application accordingly. If, after six months from the date of filing of the application, the building official has not received such notification, a permit may be issued. Approval of a permit application by the committee in no way implies approval by the building official, whose approval must also be secured. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7706)

17.56.080 Ordinary maintenance and repair.

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any structure within the historic district; provided such work involves no change that requires issuance of a building permit. Nothing in this chapter shall be construed to prevent the construction, reconstruction, alteration or demolition of any feature that, in the view of the proper authority acting lawfully, is required for the public safety because of an unsafe or dangerous condition. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7708)

17.56.090 Exceptions to Visalia Municipal Code requirements.

Due to the peculiar conditions of design and construction in historic neighborhoods where structures were sometimes built close to lot lines, and where ownership patterns have changed over the years, it is sometimes in the public interest to retain the historic appearance of a neighborhood by making an exception to normal setback, parking, landscaping, fencing and screening requirements of the Visalia Municipal Code, where such an exception does not interfere with the public health or safety. Within the historic district, where it is deemed that such an exception is warranted and will not adversely affect neighboring properties, the historic preservation advisory committee may initiate and/or recommend to the planning commission that such exception to Visalia Municipal Code requirements be made. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7709)

17.56.100 Building design compatibility criteria.

This section contains criteria for reviewing all applications for new construction and sign permits within the historic district, and for any rehabilitation, renovation, alteration, reconstruction, or enlargement affecting the exterior appearance of any structure within the historic district that is not listed on the local register, which requires the issuance of a building permit. Each application shall be considered in terms of its compatibility or complementariness with a majority of structures in the immediately surrounding area. In reviewing an application, the historic preservation advisory committee shall consider the following general design standards and principles:

- A. Height and Scale. New buildings should be constructed to a height within a reasonable average height of existing adjacent buildings.
- B. Spacing of Buildings on Street. A rhythm of recurrent building masses to separations should be retained.
- C. Relationship of Materials and Textures. Choice of building materials and texture (smooth and rough) should enhance the desired neighborhood qualities such as compatibility, similarity and continuity.
- D. Relationship of Architectural Details and Roof Shapes. Choice of architectural details and roof shape should insure compatible appearance with surrounding structures.
- E. Walls of Continuity. Physical ingredients such as brick walls, wrought iron fences, and evergreen landscape masses should be used to form continuous cohesive walls of enclosure along the street.
- F. Landscaping. Landscaping should reflect the predominant quality and quantity of landscaping within the surrounding area. The concern here is more with mass and continuity.
- G. Directional Expression of Front Elevations. Structural shape, placement of openings, and architectural details should be used to give a compatible appearance with adjacent structures that may be horizontal, vertical or nondirectional in nature. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7710)

17.56.110 Local register structures.

This section contains criteria for reviewing all applications for building permits for exterior rehabilitation, renovation, alteration, reconstruction, or enlargement of any local register structure within the historic district, or any "exceptional" or "focus" local register structure outside the historic district, and for any interior modification that requires the issuance of a building permit for a publicly owned and publicly accessible local register structure. In reviewing an application, the historic preservation advisory committee shall consider the following general standards and principles:

- A. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure, or site and its environment, or to use a property for its originally intended purpose.
- B. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- C. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historic basis and that seek to create an earlier appearance shall be discouraged.

D. Changes, which may have taken place in the course of time, are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

E. Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building, structure or site, shall be treated with sensitivity.

F. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

G. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken, without prior approval of the historic preservation advisory committee.

H. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project. (Ord. 2710 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7711)

17.56.120 Role of building official.

A. The building official shall refuse to issue all building or sign permits based upon an application disapproved by the historic preservation advisory committee, unless such application is later approved by the city council. The building official may approve any application approved or conditionally approved by the committee at such time as any conditions specified in such conditional approval are clearly indicated by the applicant on the plans presented to the building official for approval. If an appeal to the city council is filed within ten days from the date of committee approval of an application, no permit shall be issued until the outcome of said appeal is finally determined by the city council.

B. After a building permit has been issued, the building official or his/her designee shall from time to time inspect the construction, alteration or enlargement approved by the committee and shall take such action as is necessary to assure compliance with the approved plans. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7712)

17.56.130 Separability.

The provisions of this chapter shall be deemed to be severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of the court shall not impair any of the remaining provisions. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7707)

RESOLUTION NO. 2022-30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF ZONING TEXT AMENDMENT NO. 2022-01, A REQUEST BY THE CITY OF VISALIA TO AMEND VISALIA MUNICIPAL CODE CHAPTER 17.56 (HISTORIC PRESERVATION DISTRICT) AS TO: A) REQUIRING “BACKGROUND” CLASSIFIED LOCAL REGISTER STRUCTURES LOCATED OUTSIDE THE HISTORIC DISTRICT TO UNDERGO HISTORIC PRESERVATION ADVISORY COMMITTEE (HPAC) REVIEW FOR EXTERIOR ALTERATION REQUESTS, B) GRANTING THE HPAC THE ABILITY TO DENY DEMOLITION REQUESTS FOR ANY PROPERTY WITHIN THE HISTORIC DISTRICT AND/OR LISTED ON THE LOCAL REGISTER, C) ADDING DEFINITIONS FOR LOCAL REGISTER CLASSIFICATIONS, D) ADDING SPECIFIC CRITERIA FOR THE EVALUATION OF FENCING PROPOSALS WITHIN THE HISTORIC DISTRICT AND/OR ON THE LOCAL REGISTER, E) LIMITING THE PERCENTAGE OF PAVED SURFACES ALLOWED WITHIN FRONT YARD SETBACK AREAS FOR PROPERTIES WITHIN THE HISTORIC DISTRICT AND/OR ON THE LOCAL REGISTER; AND F) CHANGING THE FREQUENCY OF LOCAL REGISTER REVIEWS. THE PROJECT AREA IS CONTAINED WITHIN THE CITY OF VISALIA’S HISTORIC DISTRICT AND LOCAL REGISTER OF HISTORIC STRUCTURES.

WHEREAS, Zoning Text Amendment No. 2022-01 is request by the City of Visalia to amend Visalia Municipal Code Chapter 17.56 (Historic Preservation District) as to: A) requiring “Background” classified Local Register structures located outside the Historic District to undergo Historic Preservation Advisory Committee (HPAC) review for exterior alteration requests, B) granting the HPAC the ability to deny demolition requests for any property within the Historic District and/or listed on the Local Register, C) adding definitions for Local Register classifications, D) adding specific criteria for the evaluation of fencing proposals within the Historic District and/or on the Local Register, E) limiting the percentage of paved surfaces allowed within front yard setback areas for properties within the Historic District and/or on the Local Register; and F) changing the frequency of Local Register reviews. The project area is contained within the City of Visalia’s Historic District and Local Register of Historic Structures. The specific amendments are specified in Attachment “A” of this Resolution; and

WHEREAS, the project is exempt under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption); and

WHEREAS, the Historic Preservation Advisory Committee of the City of Visalia, after duly published notice, held a public hearing before said Committee on May 26, 2022; and

WHEREAS, the Historic Preservation Advisory Committee of the City of Visalia considered the Zoning Text Amendment in accordance with Section 17.56.050.B of the Zoning Ordinance of the City of Visalia, and based on evidence contained in the staff report and testimony presented at the public hearing, recommended approval of the Zoning Text Amendment to the Visalia Planning Commission, via approval of HPAC No. 2022-11; and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on July 11, 2022; and

WHEREAS, the Planning Commission of the City of Visalia considered the Zone Text Amendment in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council concur that the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption).

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of the proposed Zone Text Amendment based on the following specific findings and evidence presented:

1. That the proposed development is consistent with the Zoning Ordinance, the Historic Preservation Element, and the Visalia General Plan, as described in the following Historic Preservation Element objectives and policies:

Historic Preservation Element Objective H-O-1 – Assure the recognition of the City’s history through the preservation of historic sites, structures and featuring zoning overlay designation and discretionary review procedures for the Historic District.

Historic Preservation Element Policy H-P-7 – Continue to use the Historic Preservation Ordinance development review process to protect structures listed on the Local Register of Historic Structures or located within the Historic District.

Historic Preservation Element Policy H-P-9 – Periodically survey historic resources and nominate historically and/or architecturally significant sites, structures, and neighborhoods to the Local Register of Historic Structures and/or Historic District, State of California Inventory of Historic Resources, National Register of Historic Places to ensure they are protected.

Historic Preservation Element Policy H-P-10 – Regularly review the Local Register of Historic Structures to ensure that properties are appropriately listed.

2. That the proposal will not be injurious to the character or overall uniformity of the Historic District and Local Register of Historic Structures.
3. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption).

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of the Zone Text Amendment described herein in Attachment “A”, in accordance with the terms of this resolution and under the provisions of Section 17.44.070 of the Ordinance Code of the City of Visalia.

Resolution No. 2022-30

ATTACHMENT A

Zoning Text Amendment (ZTA) No. 2022-30, Historic Preservation Ordinance Update. Changes to City of Visalia Municipal Code Title 17 – Chapter 17.56 (Historic Preservation District Ordinance), as specified by underline & italics for additions and ~~strikeout~~ for deletions.

- A. **Update the Ordinance so that exterior alterations to “Background” Local Register structures located outside the Historic District are subject to HPAC review.**

Recommended Changes to Zoning Ordinance:

- 17.56.040 Regulation of structures.
No structure shall be constructed, altered or enlarged that is located in the historic district or that is listed as an ~~“exceptional” or “focus” structure~~ on the local register ~~and is located outside the historic district~~, unless such a permit is issued pursuant to the terms of this chapter. No structure listed on the local register shall be moved or demolished unless a permit is issued pursuant to the terms of this chapter.
- 17.56.050.C.3: It shall be the duty of the historic preservation advisory committee to review all applications for the construction or exterior alteration or enlargement of structures within the historic district or ~~for structures located outside the historic district and listed as “exceptional” or “focus” structures~~ on the local register. The committee shall have the power to approve, modify or disapprove such applications before a building permit can be issued, subject to the provisions of Sections 17.56.100 and 17.56.110.
- 17.56.050.C.4: It shall be the duty of the historic preservation advisory committee to review all applications for sign permits within the historic district or for properties ~~located outside the historic district and listed as “exceptional” or “focus”~~ on the local register. The committee may recommend approval, conditional approval or denial of the sign permit application based upon the proposed design and/or materials, but not upon the proposed size or location. The application shall then be presented to the proper issuing authority for sign permits, pursuant to Chapter 17.48. Sign permits shall be issued only in compliance with the recommendation of the committee. Approval by the committee in no way implies approval by the issuing authority for sign permits, whose approval must also be secured pursuant to Chapter 17.48.
- 17.56.110 Local register structures.
This section contains criteria for reviewing all applications for building permits for exterior rehabilitation, renovation, alteration, reconstruction, or enlargement of any local register structure ~~within the historic district, or any “exceptional” or “focus” local register structure outside the historic district~~, and for any interior modification that requires the issuance of a building permit for a publicly owned and publicly accessible local register structure. In reviewing an application, the

historic preservation advisory committee shall consider the following general standards and principles:

B. Grant the HPAC the ability to deny demolition requests for any property within the Historic District or Local Register, regardless of classification.

Recommended Changes to Zoning Ordinance:

- 17.56.050.C.5: It shall be the duty of the historic preservation advisory committee to review all applications for the moving or demolition of structures *in the historic district or* listed on the local register. The committee shall have the power to approve, conditionally approve, or disapprove such applications, subject to the provisions of Section 17.56.130.
- 17.56.070.B.3: ~~In the case of local register structures that have been classified as "exceptional,"~~ *The* committee may deny an application for demolition, ~~after the six-month moratorium has expired.~~ Denial of a demolition permit by the committee is subject to appeal to the city council pursuant to Section 17.56.060.

C. Addition of language to the Historic Preservation Ordinance defining the "Exceptional", "Focus" and "Background" classifications of the Local Register.

Recommended Changes to Zoning Ordinance:

- 17.56.030.B Definitions.
 - "Local register" means the listing of local historic structures, sites and features adopted by the city council and maintained by the historic preservation advisory committee, and incorporated herein by reference. *This designation is inclusive of all structures and features located within the boundaries of the property for which the local register designation has been applied.*
 - *"Local register, Background" means 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.*
 - *"Local register, Exceptional" means properties with preeminent historical significance, considered for nomination to the National Register of Historic Places.*
 - *"Local register, Focus" means properties having significant value, of good to excellent quality, considered for local recognition and protection.*

D. Removal of language regarding specific fencing types, in favor of general language requiring consideration based on style and context:

Recommended Changes to Zoning Ordinance:

- 17.56.100 Building design compatibility criteria.
 - ~~E. Walls of Continuity. Physical ingredients such as brick walls, wrought iron fences, and evergreen landscape masses should be used to form continuous cohesive walls of enclosure along the street.~~
 - ~~F.~~ Landscaping.
 - ~~G.~~ Directional Expression of Front Elevations.

- 17.56.120 Fencing and wall design criteria.

This section contains criteria for reviewing all applications for new fencing and walls within the historic district or on the local register, and for any application for rehabilitation, renovation, alteration, reconstruction, or enlargement of fencing and walls within the historic district or on the local register. In reviewing an application, the historic preservation advisory committee shall consider the following general standards and principles:

A. Fencing proposals shall be used to form continuous cohesive walls of enclosure along the street, and shall be compatible with the architectural style of the main building and historic district.

B. If historic walls or fencing exist on a property, preference should be given to repair of the existing fencing or wall to restore its original appearance to the extent possible. If removal and replacement of historic fencing and walls is proposed, preference should be given to the use of like materials to preserve the appearance of the original fencing or wall.

C. Proposals for new fencing or walls should be compatible with the character and architectural elements of the historic structure onsite and its period of original construction.

D. Appropriate materials for fencing and walls shall include, but not be limited to, landscape masses, wood, wood pickets, wrought iron, cast iron, masonry walls, brick, stone, decorative wire, and vinyl materials that mimic the appearance of painted wood.

E. Proposals for chain link fencing in areas visible from the street shall be discouraged. The historic preservation advisory committee may grant an application for chain link fencing along public streets if, on the basis of the application and the evidence submitted, the committee makes one of the following findings:

1. That the proposed chain link fencing is compatible with the historic structure and the neighborhood;

2. That sufficient evidence has been provided indicating that the applicant will experience an economic hardship should the chain link fencing not be permitted to be placed onsite;

- ~~17.56.120~~ 17.56.130 Role of building official.
- ~~17.56.130~~ 17.56.140 Separability.

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

Recommended Changes to Zoning Ordinance:

- 17.56.050.C:
 - 8. Sites within the historic district or on the local register shall reserve a minimum 50% of the required front yard setback area for the purposes of landscaping. This shall include non-living ground cover and turf.

F. Modification of language requiring the annual review of the Local Register of Historic Structures.

Recommended Changes to Zoning Ordinance:

- 17.56.050.C.6: It shall be the duty of the historic preservation advisory committee to compile and update the historic survey and inventory, and to nominate properties to the local register and the National Register of Historic Places. In selecting properties for nomination to the local register, the board shall consider:
 - a. Architectural significance and style;
 - b. Historic significance, including age of structure, original owners, and events related to the structure, site or original owners.
 - c. The committee shall review the local register ~~annually~~ every five years, make recommendations for the addition or deletion of structures or sites, and submit said recommendations to the planning commission and city council for certification.



May 27, 2022

City of Visalia
315 E. Acequia Avenue
Visalia, CA 93291

RE: Historic Preservation Advisory Committee No. 2022-11 (Historic Preservation District Ordinance Update)

On May 26, 2022, the Historic Preservation Advisory Committee (HPAC) reviewed your request to update Visalia Municipal Code Chapter 17.56 (Historic Preservation District Ordinance). The HPAC recommended approval of the request to the Visalia Planning Commission based upon the following findings and conditions:

Findings:

1. That the proposed development is consistent with the Zoning Ordinance and the Historic Preservation Element of the Visalia General Plan.
2. That the proposal will not be injurious to the character or overall uniformity of the Historic District and Local Register of Historic Structures.

The Historic Preservation Advisory Committee's recommendation on Historic Preservation Advisory Committee No. 2022-11 is advisory only and is automatically referred to the Visalia Planning Commission, which shall provide a recommendation to the Visalia City Council. The City Council has final authority over the project.

If you have any questions, please contact me at (559) 713-4443 or e-mail crisobal.carrillo@visalia.city

Regards,

A handwritten signature in blue ink, appearing to read "Cristobal Carrillo".

Cristobal Carrillo,
Associate Planner