

3.12 Cultural Resources

This chapter analyzes the effect of the proposed General Plan on important historic and prehistoric cultural resources in the Planning Area. Cultural resources include sites, buildings, structures, or objects that may have archaeological, historical, cultural, or scientific significance. The existence of historic and cultural sites in Visalia necessitates plan policies that preserve the City's heritage.

Environmental Setting

PHYSICAL SETTING

Historic Resources

Historic resources are standing structures of historic or aesthetic significance. Architectural sites dating from the Spanish Period (1529-1822) through the early years of the Depression (1929-1930) are generally considered for protection if they are determined to be historically or architecturally significant. These may include missions, historic ranch lands, and structures from the Gold Rush and the region's early industrial era. Post-Depression sites may also be considered for protection if they could gain historic significance in the future. Historic resources are often associated with archaeological deposits of the same age.

Visalia is the oldest Central Valley city south of Stockton and hosts an impressive collection of historic sites and structures. The City was settled in 1852, and incorporated as a city in 1874. In its early years the City was a supply center for nearby gold rushes, and had an agricultural economy based on livestock. The construction of the Southern Pacific Railroad through the Valley in 1872 triggered a shift in the agricultural economy from cattle toward field crops. The next major economic change was brought about by the availability of irrigation water, resulting in the conversion of large grain fields to small farms, where citrus, grapes, olives, and deciduous fruits were raised. These crops are a mainstay of the region's economy today.

As early as 1806, Spaniards explored the area, followed by trappers, traders, and miners. The first settlers in the area, in 1850, included John Wood and a group of other men who were eventually eradicated by the pre-existing Indian groups. Wood's group left a single log cabin behind, which was eventually designated as the courthouse in 1852. The settlement came to be known as Woodsville, and then as Visalia, named after Nathaniel Vise, a trapper in the area. Visalia soon grew due to the rich soils for agricultural use and its location near the Stockton-Los Angeles road. Rumors of gold strikes quickened the population growth after 1855, and even after the temporary

gold fever dwindled, many of those who had originally come to Visalia to look for gold remained there for the productive agricultural land.¹

Industry and transportation also influenced Visalia’s historical development in profound ways. During the 1870s, cotton, alfalfa, dairy, and citrus farming grew to be important industries for Visalia. The transcontinental railroad network was connected to Visalia in 1897. As irrigation developed, new industries emerged in the 1880s, such as the drying and canning of fruits. The 1890s saw the production and transmission of hydro-electric power from the Kaweah River and its first use in homes and factories. In 1897, the Valley Railroad (soon to become the Santa Fe) opened a main line to Visalia. Shortly thereafter the first automobiles were introduced, and road building became a major concern. Highway 99 and the rail lines today act as transport lines for the highest-value agricultural region in the country, as well as a growing urban region and industrial economy.

The Tulare County Farm Bureau was established in 1916, with its original office in an adobe structure on East Oak Street. The Farm Bureau was early to introduce the experimental concept of marketing hogs at auction, holding its first sale in Visalia in 1918. Livestock remained an important part of the region’s economy, as attested by the Visalia Livestock Yards, which in 1940 became the first center for modern livestock auctioning in the Central Valley.²

Historic Sites and Structures

Four structures and sites in Visalia are currently on the National Register of Historic Places, as shown in **Table 3.12-1**. The National Register of Historic Places is an inventory of districts, sites, buildings, structures, and objects significant on a national, State, or local level in American history, architecture, archeology, engineering, and culture. These sites are also listed on the California Register of Historic Resources, and any impacts to them must be considered as part of environmental review.

Table 3.12-1: Sites Listed on the National Register of Historic Places

<i>Site Name</i>	<i>Location</i>	<i>Period of Significance</i>	<i>Description</i>
Bank of Italy Building	128 East Main Street	1900-1924 1925-1949	Bank/Commercial building; Classical Revival architectural style
Hyde House	500 South Court Street	1875-1899	Single family dwelling; Tudor Revival architectural style
The Pioneer (statue)	27000 South Mooney Boulevard, in Mooney Grove Park	1900-1924	Original sculpture destroyed in earthquake; stand remains
U.S. Post Office, Visalia Town Center Station	111 West Acequia Street	1925-1949	Government building; Art Deco/Beaux Arts architectural style

Source: National Park Service, 2010.

¹ Crawford Multari & Clark Associates for City of Visalia. Southeast Area Specific Plan EIR. 2010.

² Caudill, Brad. “History of the Farm Bureau Stockyards.” 2005-2006.

Local Register of Historic Structures

The City maintains a Local Register of Historic Structures, identified in a process led by the Historic Preservation Advisory Committee. The Local Register, most recently updated in 2012, features approximately 400 buildings, shown on **Figure 3.12-1**. The first survey of historic resources was done in advance of the City's first Historic Preservation Element and Historic Preservation Ordinance, both adopted in 1979.

The Local Register classifies significant historical structures in three categories. *Exceptional* structures or sites are those having preeminent historical, cultural, architectural, archaeological, or aesthetic significance, considered candidates for nomination to the National Register of Historic Places. Second, *focus* structures or sites have significant value, of good to excellent quality, and should be considered for local recognition and protection. Third, *background* structures or sites are those that may not be historically significant or unique in and of themselves, but contribute positively as a group to the "visual fabric" of Visalia.

Historic District

The initial historic survey area was bounded by Houston Avenue to the north, Santa Fe Street to the east, Tulare Avenue to the south, and Giddings Street to the west, comprising the original townsite and early subdivisions of Visalia. Based on the results of the survey, a smaller Historic District was defined. This District, in three discrete sections to the north, south, and west of Downtown, is formalized as the Historic District Overlay. New development proposed within its boundaries must be reviewed by the Historic Preservation Advisory Committee according to criteria established in the Historic Preservation Ordinance. **Figure 3.12-1** outlines the current Historic District Overlay and shows the location of sites on the City's local registry.

Archaeological Resources

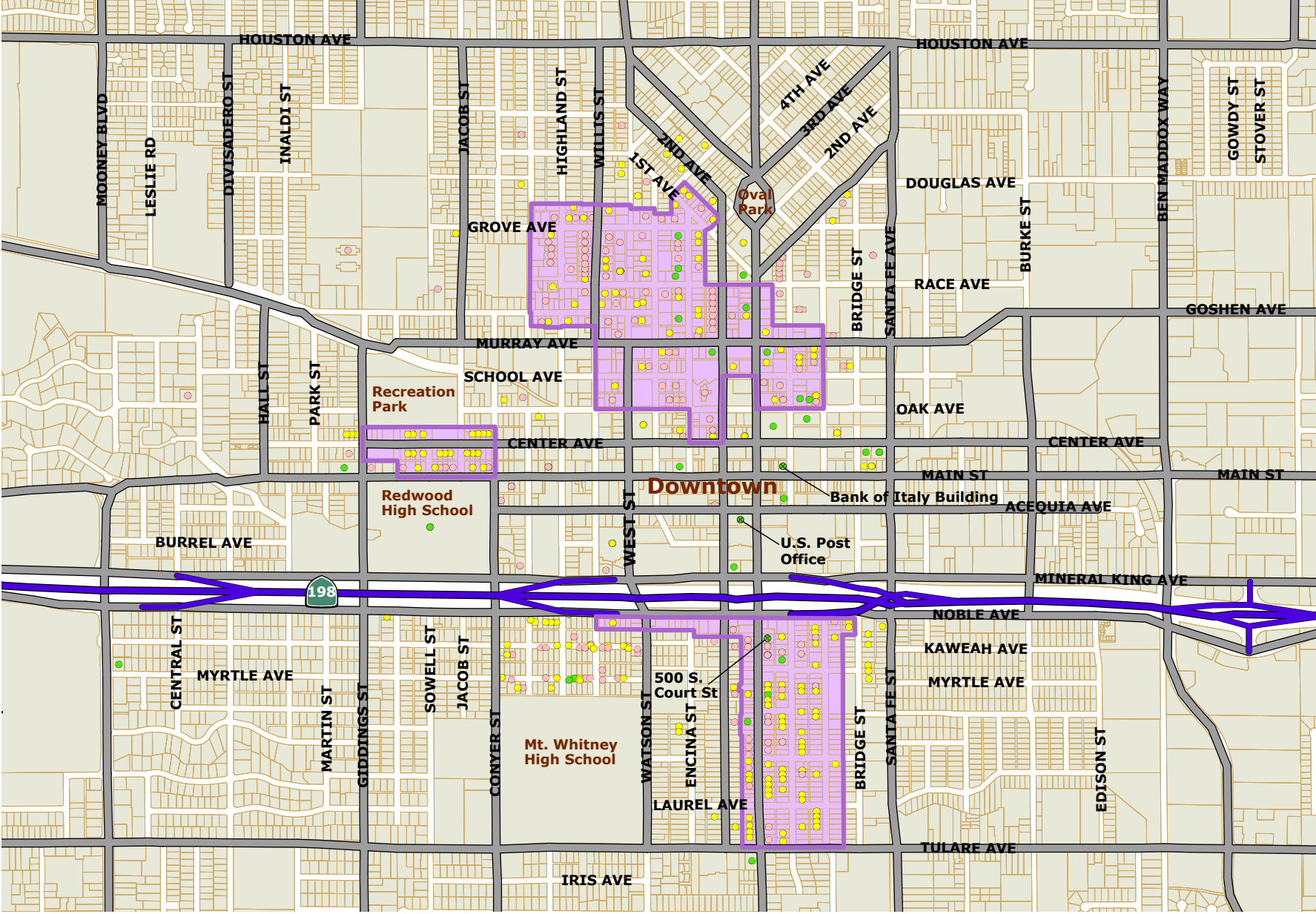
Archaeological resources are places where human activity has measurably altered the earth or left deposits of physical remains. Archaeological resources may be either prehistoric (before the introduction of writing in a particular area) or historic (after the introduction of writing). The majority of such places in this region are associated with either Native American or Euroamerican occupation of the area. The most frequently encountered prehistoric and early historic Native American archaeological sites are village settlements with residential areas and sometimes cemeteries; temporary camps where food and raw materials were collected; smaller, briefly occupied sites where tools were manufactured or repaired; and special-use areas like caves, rock shelters, and sites of rock art. Historic archaeological sites may include foundations or features such as privies, corrals, and trash dumps.

A records search by the Southern San Joaquin Valley Information Center at California State University, Bakersfield found that 152 archaeological investigations had been performed in the Planning Area as of July 2010. For seven sites where archaeological resources have been found, the Information Center does not identify specific locations in order to protect sites from looting. Potential unrecorded archaeological sites may exist in the Planning Area, particularly along undisturbed portions of creeks. Any resources discovered must be evaluated, following CEQA requirements. There are no archaeological sites currently listed on the National Register of Historic Places in the Planning Area.

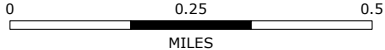
Figure 3.12-1:
Historical and Cultural Resources

Historic Sites or Structures listed on 2012 Local Registry

- Background
- Exceptional
- Focus
- ⊗ Sites also Listed on National Register of Historic Places and State Register of Historic Resources
- Historic District Overlay



Source: 2012 Local Register of Historic Structures, City of Visalia, 2012; Tulare County, 2010; Dyett & Bhatia, 2012.



Contemporary Native American Resources

Contemporary Native American resources, also called ethnographic resources, can include archaeological resources, rock art, and the prominent topographical areas, features, habitats, plants, animals, and minerals that contemporary Native Americans value and consider essential for the preservation of their traditional values.

In February 2010, a letter to the Native American Heritage Commission requested a review of the sacred lands file and a list of Native American contacts within the region. The sacred lands file did not contain any known cultural resources information for the Planning Area.

Paleontological Resources

Paleontological resources are the mineralized (fossilized) remains of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains such as bones, teeth, shells, and leaves are found in geologic deposits (rock formations) where they were originally buried. Fossil remains are considered to be important as they provide indicators of the earth's chronology and history. These resources are afforded protection under CEQA and are considered to be limited and non-renewable, and they provide invaluable scientific and educational data.

The University of California Museum of Paleontology lists 25 localities where fossils have been found in Tulare County. However, due to the sensitive nature of these sites, they are not mapped.³ Identified fossil types in the County include prehistoric mammals, other vertebrates, invertebrates and plants.

REGULATORY SETTING

Federal Regulations

National Historic Preservation Act

The National Historic Preservation Act (NHPA) is the most prominent federal law dealing with historic preservation. The NHPA establishes guidelines to “preserve important historic, cultural, and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice.” The NHPA includes regulations specifically for federal land-holding agencies, but also includes regulations (Section 106) which pertain to all projects that are funded, permitted, or approved by any federal agency and which have the potential to affect cultural resources. All projects that are subject to the National Environmental Policy Act (NEPA) are also subject to compliance with Section 106 of the NHPA. Furthermore, all projects that are carried out by Caltrans are also subject to Section 106. At the federal level, the Office of Historic Preservation (OHP) carries out reviews under Section 106 of the NHPA.

The Section 106 review process normally involves a four-step procedure described in detail in the Section 106 Regulations (36 CFR Part 800):

³ University of California Museum of Paleontology, <http://ucmpdb.berkeley.edu/loc.html>. April 17, 2012.

- Identify and evaluate historic properties in consultation with the State Historic Preservation Officer (SHPO) and interested parties;
- Assess the effects of the undertaking on properties that are eligible for inclusion in the National Register of Historic Places (NRHP);
- Consult with the SHPO, other agencies, and interested parties to develop an agreement that addresses the treatment of historic properties and notify the Advisory Council on Historic Preservation; and
- Proceed with the project according to the conditions of the agreement.

National Register of Historic Places

NHPA authorizes the Secretary of the Interior to establish a National Register of Historic Places (National Register, or NRHP), an inventory of districts, sites, buildings, structures, and objects significant on a national, State, or local level in American history, architecture, archeology, engineering, and culture. The National Register is maintained by the National Park Service, the Advisory Council on Historic Preservation, State Historic Preservation Office, and grants-in-aid programs.

National Environmental Policy Act (NEPA)

Specific projects that are subject to NHPA must also comply with NEPA requirements for the consideration of cultural resources. Compliance with NEPA requirements concerning cultural resources may be addressed through compliance with Section 106 of the NHPA. Reports, agreements, and correspondence documenting compliance with Section 106 of the NHPA are provided to the lead NEPA agency for a specific proposed action that is subject to NEPA.

State Regulations

Office of Historic Preservation

The mission of the Office of Historic Preservation (OHP) and the State Historical Resources Commission (SHRC) is to preserve and enhance California's irreplaceable historic heritage as a matter of public interest so that its vital legacy of cultural, educational, recreational, aesthetic, economic, social, and environmental benefits will be maintained and enriched for present and future generations.⁴ California Public Resources Code 5024 requires consultation with the State Historic Preservation Officer (SHPO) when a project may impact historical resources located on State-owned land.

California Register of Historic Resources

The SHPO maintains the California Register of Historic Resources (California Register). Historic properties listed, or formally designated for eligibility to be listed, on the National Register are automatically listed on the California Register (PRC Section 5024.1). State Landmarks and Points of Interest are also automatically listed. The California Register can also include properties designated under local preservation ordinances or identified through local historic resource surveys.

⁴ Office of Historic Preservation webpage: http://ohp.parks.ca.gov/?page_id=1054

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For a historic resource to be eligible for listing on the California Register, it must be significant at the local, state, or national level under one or more of the following four criteria:

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

California Environmental Quality Act

21083.2: Archaeological Resources

CEQA directs the lead agency on any project undertaken, assisted, or permitted by the State to include in its environmental impact report for the project a determination of the project's effect on unique archeological resources; defines unique archeological resource; enables a lead agency to require an applicant to make a reasonable effort to preserve or mitigate impacts to any affected unique archeological resource; sets requirements for the applicant to provide payment to cover costs of mitigation; and restricts excavation as a mitigation measure.

21084.1: Historic Resources

CEQA establishes that adverse effects on an historical resource qualifies as a significant effect on the environment; and defines historical resource.

CEQA Guidelines

Section 15064.5 of CEQA guidelines define three ways that a property can qualify as a significant historical resource for the purposes of CEQA review:

1. If the resource is listed in or determined eligible for listing in the California Register of Historical Resources;
2. If the resource is included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code, or is identified as significant in a historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code unless a preponderance of evidence demonstrates that it is not historically or culturally significant; or
3. If the lead agency determines the resource to be significant as supported by substantial evidence (California Code of Regulations, Title 14, Division 6, Chapter 3, section 15064.5).

In addition to determining the significance and eligibility of any identified historical resource under CEQA and the California Register, historic properties must be evaluated under the criteria for the National Register should federal funding or permitting become involved in any undertaking subject to this document.

CEQA Guidelines on Mitigation of Cultural Resources Impacts

CEQA Guidelines Section 15126.4 states that “public agencies should, whenever feasible, seek to avoid damaging effects on any historical resources of an archeological nature.” The Guidelines further state that preservation-in-place is the preferred approach to mitigate impacts on archaeological resources. However, according to Section 15126.4, if data recovery through excavation is “the only feasible mitigation,” then a “data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resources, shall be prepared and adopted prior to any excavation being undertaken.” Data recovery is not required for a resource of an archaeological nature if “the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource.” The section further states that its provisions apply to those archaeological resources that also qualify as historic resources.

Native American Heritage Act

Also relevant to the evaluation and mitigation of impacts to cultural resources is the Native American Heritage Act (NAHA) of 1976 which established the Native American Heritage Commission (NAHC) and protects Native American religious values on state property (see California Public Resources Code 5097.9).

Public Notice to California Native American Indian Tribes

Government Code, Section 65092 includes California Native American tribes that are on the contact list maintained by the Native American Heritage Commission in the definition of “person” to whom notice of public hearings shall be sent by local governments.

Tribal Consultation Guidelines

Passed in 2004, Senate Bill (SB) 18 (Burton, D-San Francisco) now Government Code Section 65351 and 65352 established a procedure to help tribes and jurisdictions define tribal cultural resources and sacred areas more clearly and incorporate protection of these places earlier into the General Plan and Specific Plan processes. The SB 18 process mirrors the federal 106 Review process used by archaeologists as part of the environmental review conducted under NEPA (36 CFR Part 800.16) While not a component of CEQA review per se, the Lead agency is required to request consultation with responsible and trustee agencies, such as NAHC and neighboring tribes, during the initial study and EIR process (PRC 21080.3, 21080.4).

Disposition of Human Remains (Health and Safety Code, Section 7050.5)

When an initial study identifies the existence, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native American groups or individuals as identified by the NAHC as provided in Public Resources Code 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. Furthermore, Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC.

Native American Graves Protection and Repatriation Act

California Health and Safety Code Sections 8010-8011 establishes a state repatriation policy intent that is consistent with and facilitates implementation of the federal Native American Graves Protection and Repatriation Act. The Act strives to ensure that all California Indian human remains and cultural items are treated with dignity and respect. It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also states the intent for the state to provide mechanisms for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims and getting responses to those claims.

Local Regulations

City of Visalia Historic Preservation Ordinance

The Historic Preservation Ordinance, adopted in 1979 and updated in 2001, established the Historic Preservation Advisory Committee (HPAC). HPAC is responsible for periodically updating the Local Register, nominating properties to the State and Federal Registers, and reviewing planning and development actions related to historic structures or in the Historic District.

With regard to zoning changes and applications for planned development permits within the historic district, HPAC's recommendations are forwarded to the Planning Commission for its consideration. For applications for construction, exterior alteration, enlargement, or sign permits within the historic district or for "exceptional" or "focus" structures outside the district, HPAC has the power to approve, modify, or disapprove applications based on the criteria set forth in the Ordinance. Where HPAC has disapproved an application, the Building Official may only issue permits when authorized by the City Council.

HPAC also reviews all applications for the demolition or moving of structures within the historic district or listed on the Local Register. The Historic Preservation Ordinance allows HPAC to deny demolition or moving permits for buildings listed as "exceptional" on the Local Register, and to apply a six-month moratorium on demolition for other historically-listed structures, during which time alternatives are to be sought. In general, owners are encouraged to maintain historic structures and make every reasonable effort to find compatible uses for them.

Office Conversion Zone

The Office Conversion district in Visalia's zoning code is intended to facilitate the preservation of older houses in areas where commercial use is now more viable by providing more flexibility of use. Uses such as medical offices which tend to bring a significant number of visitors are discouraged, to minimize parking and traffic impacts in older neighborhoods. The zone is applied only to certain blocks adjacent to Downtown.

Impact Analysis

SIGNIFICANCE CRITERIA

Implementation of the proposed General Plan would have a potentially significant adverse impact if it would:

- Criterion 1:** Cause a substantial adverse change in the significance of a historic resource, defined as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historic resource would be materially impaired. (CEQA Guidelines Section 15064.5)
- Criterion 2:** Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines Section 15064.5.
- Criterion 3:** Disturb any human remains, including those interred outside of formal cemeteries.
- Criterion 4:** Destroy, directly or indirectly, a unique paleontological resource or site or unique geologic feature.

METHODOLOGY AND ASSUMPTIONS

California Historical Resources Information System

The California Historical Resources Information System (CHRIS) is a statewide system for managing information on the full range of historical resources identified in California. CHRIS is a cooperative partnership between the citizens of California, historic preservation professionals, twelve Information Centers, and various agencies. This system bears the following responsibilities: integrate newly recorded sites and information on known resources into the California Historical Resources Inventory; furnish information on known resources and surveys to governments, institutions, and individuals who have a justifiable need to know; and supply a list of consultants who are qualified to do work within their area.

The initial step in addressing cultural resources involved contacting the appropriate Information Center to conduct a record search. The Southern San Joaquin Valley Information Center at CSU, Bakersfield was consulted on April 19, 2010 and June 4, 2010, and replied with records search results for the Planning Area. The record search summarized numbers of previously recorded resources and studies within the Planning Area, and these results are described in the environmental setting.

Tribal Consultation

A letter was sent to the Native American Heritage Commission (NAHC) on February 16, 2010, requesting a review of the sacred lands file and a list of Native American contacts within the region. In response, NAHC provided a list of tribal representatives to consult. Each of these five representatives, of the Santa Rosa Rancheria, Tule River Indian Tribe, Esohm Valley Band of In-

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dians/Wuksache Tribe, Kern Valley Indian Council, and Tubatulabals of Kern County, were subsequently contacted.

Level of Analysis

This analysis recognizes that important cultural resources may be encountered during ground-disturbing construction work on future development projects that involve physical construction. Since the extent of ground disturbance associated with future development is unknown at this time, it is not possible to assess specific cultural resource impacts based on the proposed General Plan. No project-specific reviews or field studies were undertaken for this program EIR.

IMPACT SUMMARY

<i>Proposed Project Impact</i>	<i>Mitigation Measure</i>	<i>Significance after Mitigation</i>
Implementation of the proposed General Plan would cause a substantial adverse change to the significance of an historic resource, defined as physical demolition, destruction, relocation, or alteration of that resource or its immediate surroundings such that the significance of a historic resource would be materially impaired.	None required	Less than significant
Implementation of the proposed General Plan could cause a substantial adverse change in the significance of a unique archaeological resource, or disturb human remains, including those interred outside of formal cemeteries.	None required	Less than significant
Implementation of the proposed General Plan could destroy, directly or indirectly, a unique paleontological resource or site or unique geologic feature.	None required	Less than significant

IMPACTS AND MITIGATION MEASURES

Impact

3.12-1 Implementation of the proposed General Plan would cause a substantial adverse change to the significance of an historic resource, defined as physical demolition, destruction, relocation, or alteration of that resource or its immediate surroundings such that the significance of a historic resource would be materially impaired. (*Less than Significant*)

The Planning Area contains four structures listed on the federal and State Historic Registers, and some 400 structures are identified on the City’s Local Register of Historic Resources. All of these properties are subject to the requirements of the Historic Preservation Ordinance (HPO), and many of them are also within the Historic District, where the Historic Preservation Advisory Committee has additional leverage to protect the integrity of historic resources.

As described in the Regulatory Setting section, the HPO gives the Historic Preservation Advisory Committee (HPAC) authority to deny permits for moving or demolition of structures classified as “exceptional” on the Local Register, and broader authority to require a moratorium while alternative solutions are pursued, for any listed structure or any structure within the historic district. HPAC also reviews all development applications within the historic district and all applications

that would change the appearance of an “exceptional” or “focus” structure outside the district. Criteria for applications that would directly affect historic structures are focused on preserving the original qualities or character of historic buildings. Criteria for applications that would indirectly affect historic structures by being within the historic district concern building height and scale; building spacing; the directional expression of front elevations; and the relationship of proposed materials, textures, architectural details, and roof shape, to those of surrounding buildings.

The proposed General Plan will facilitate ongoing development both at the edges of the City and on vacant and underutilized sites within the City. In the interest of supporting a vital downtown area that remains the City’s economic and cultural heart, the Plan encourages higher-density and mixed-use development in the Downtown Mixed Use district that covers the Downtown core.

Under the proposed General Plan, the core area neighborhoods directly adjacent to downtown that contain most of the City’s historic structures are classified primarily for Low Density Residential or Office use. Most historic resources in these adjacent areas are also located in the City’s historic district, where HPO protections apply. The City’s Office Conversion zone also encourages the preservation and rehabilitation of historic structures while providing more flexibility in terms of use.

The proposed Plan also features policies intended to support historic resource protection. The Plan calls for preserving established and distinctive neighborhoods by maintaining appropriate zoning and development standards to achieve land use compatibility in terms of height, massing, and other characteristics. Other policies would expand the Office Conversion zone to areas where it could help to facilitate adaptive reuse; streamline building regulations to encourage rehabilitation and reuse; supporting financial incentives; and others listed below.

Locally-listed historic resources that are located in the core but are outside the historic district, and not classified as “exceptional” or “focus” structures may be most vulnerable to alteration, as these structures are not within the purview of the HPAC. However, any application to move or demolish even a “background” historic structure requires HPAC approval. The proposed General Plan reaffirms the City’s commitment to periodically updating its survey of historic resources and using the Historic Preservation review process to protect historic structures and usher in “good” new development. Existing federal and State laws and City regulations, as well as proposed General Plan policies that encourage the preservation, maintenance, and adaptive reuse of existing historic buildings, reduce impacts to a less than significant level.

Proposed General Plan Policies that Reduce the Impact

- LU-O-27 Provide adequate area for office developments in areas where they can be effectively integrated into surrounding areas and/or where they can provide close-in employment opportunities.

- LU-O-29 Ensure the continued viability of Visalia’s existing commercial areas and enable the conversion of older or historic houses to office uses, where appropriate.

- LU-P-48 Preserve established and distinctive neighborhoods throughout the City by maintaining appropriate zoning and development standards to achieve land use com-

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patibility in terms of height, massing and other characteristics; providing design guidelines for high-quality new development; supporting housing rehabilitation programs; and other means.

- LU-P-74 *Provide incentives for infill development of opportunity sites and adaptive reuse and restoration of existing buildings in Downtown and East Downtown.
- 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.
- H-O-2 Maintain historic residential areas as healthy, cohesive neighborhood units, and assure consistency of appearance within the historic area through conservation plans and historic preservation guidelines.
- H-O-3 Support efforts to use the Local Register of Historic Structures and the Historic District to identify and promote community history through the use of walking tours and other public outreach.
- H-O-4 Promote the maintenance and identification of historic resources in the community as key components of tourism and increased economic diversity for the City.
- H-O-5 *Promote the benefits of historic property ownership through programs such as tax incentives, available grants and loans, including but not limited to Federal Tax credits and similar programs for properties within the Historic District or on the Local Register of Historic Structures.
- H-P-1 *Pursue becoming a Certified Local Government in order to take advantage of grants, loans and other historic preservation programs.
Under the National Historic Preservation Act, the Certified Local Government Program would allow Visalia to integrate its historic preservation efforts with those of the statewide historic preservation process and to be eligible, on a competitive basis, for special matching grants.
- H-P-2 *Update the City’s Historic Preservation Ordinance to include criteria for streamlining the process for issuing building permits for minor repairs and alterations as designated by the Historic Preservation Advisory Committee. Include, as appropriate, preservation incentives, such as use of the California Historic Building Code, where appropriate, and other available incentives.
The sidebar on the next page highlights topics to be addressed in this update. These reflect “best practices” in historic preservation statewide and will enable the program to be tailored to the City’s goals and needs. Details would be worked out during Plan implementation with an open, public planning process.
- H-P-3 *Expand the Historic Planned Office Conversion zone to preserve historically significant structures and facilitate office conversion in locations suited to com-

mercial use and where a functional connection can be made between Downtown and adjacent neighborhoods with minimal parking impacts to the adjacent non-converted properties.

The Planned Office Conversion zone has been applied in some but not all of the areas identified as appropriate in the current General Plan. The proposed update is to allow for an expanded use of the zone to cover additional areas where good housing stock is at some risk and where office conversion would be appropriate. The policy does not call for the City to provide specific boundaries; instead it allows for the consideration of any appropriate areas where properties may be added to the Local Register and/or the Historic District to retain the historical character of individual sites and the streetscape while transitioning from residential to office or related uses. During the rezoning process, the potential for parking impacts to adjacent non-converted properties needs to be recognized as one of the key potential conflicts between the office conversion area and adjacent non-converted residences, and performance standards and/or conditions of approval should be imposed to mitigate potential impacts.

- H-P-4 Continue to ensure that proposed new development within any Historic District or on any properties listed on the Local Register of Historic Structures is compatible with its surroundings, using criteria of height and scale; spacing of buildings; materials and textures; street walls; landscaping; and other elements which contribute to the historical neighborhood character.
- H-P-5 Continue to facilitate the conversion of older structures to new uses, with minimal alterations to building or site appearance, by providing exceptions to zoning and building code requirements for structures on the Local Register of Historic Structures and within the Historic District, where such exceptions shall contribute to and enhance the historic character of the area.
- H-P-6 Use any available funding sources to provide low-interest loans for the rehabilitation and restoration of structures listed on the Local Register of Historic Structures or located within the Historic District.
- 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.
- The Historic Preservation Ordinance allows the City to place a moratorium of up to six months on proposed demolition or moving permit to allow time for alternatives to be explored, and to deny such permits for Local Register structures classified as “exceptional.” Structures so listed on the Local Register shall not be torn down until all alternative solutions have been exhausted.*
- H-P-8 Support the work of the Historic Preservation Advisory Committee, whose responsibilities include:

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- Offering assistance in the form of information and referral to applicants who are developing restoration projects, and providing information on available grants and loans for restoration and rehabilitation of historic structures;
- Identifying and recognizing all historic areas, sites, structures, and features by placing them on the local register and providing technical assistance with registration in the national Register of Historic Places and inclusion in the California Inventory of Historic Resources;
- Initiating efforts to educate the public to the significance of historic areas, sites and structures and the cultural and social events associated with them.
- Facilitate the recognition of all structures, sites and features within the Historic District or on the Local Register of Historic Structures, along with significant historical landmarks or areas that are not contained within a District or Register where significant community history is represented. The owners of historic property shall be encouraged to display their plaques for public information;
- Pursuing support of the creation of a revolving loan fund for historic rehabilitation to be financed through public and private contributions with efforts to encourage banks to provide loans for the acquisition or rehabilitation of historic properties.

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.

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

H-P-11 Collaborate with Tulare County Historical Society and other civic organizations on appropriate monuments that publicize historic sites.

H-P-12 *Establish criteria for historic street sign name blades in Historic Districts and at Gateways to historic areas.

H-P-13 *Identify, survey and establish new additions to the Historic District and Local Register of Historic Structures.

H-P-14 *As needed, but no less than every 10 years, review and update the Historic Element and related implementing ordinances.

The City's last comprehensive survey was completed for the 1979 Historic Preservation Ordinance. Many properties may be considered of historic value that were not reviewed at that time.

Mitigation Measures

None required.

Impact

3.12-2 Implementation of the proposed General Plan could cause a substantial adverse change in the significance of a unique archaeological resource, or disturb human remains, including those interred outside of formal cemeteries. (*Less than Significant*)

A complete records search conducted by the Southern San Joaquin Information Center based at California State University, Bakersfield revealed 152 archaeological investigations in the Planning Area, and at least seven recorded cultural resources (archaeological sites, including human remains). These include four instances of “lithic scatter” and one instance each of historic trash scatter, spear point, and stone tools. Specific geographic information is not provided for archaeological sites, as mentioned earlier, to protect these resources from looting and vandalism.

Archaeological and Native American cultural resources in the region may exist near sources of water or on alluvial flats, among other environments. Given the presence of the St. Johns River and Cameron, Mill and Packwood Creeks, there is a high likelihood that further unrecorded Native American cultural sites exist within the Planning Area, particularly along undisturbed portions of waterways. Project-specific studies will be necessary to determine the actual potential for significant impacts on archaeological resources resulting from the implementation of the proposed General Plan. Any resources discovered must be evaluated, following CEQA requirements.

Pursuant to CEQA Guidelines 15064.5(f), if potentially significant cultural resources are discovered during ground-disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County and other appropriate agencies and interested parties. For example, a qualified archaeologist shall follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and location-specific information to the California Historical Resources Information Center office (Southern San Joaquin Valley Archaeological Information Center). The consulting archaeologist shall also evaluate such resources for significance per California Register of Historical Resources eligibility criteria (Public Resources Code Section 5024.1; Title 14 CCR Section 4852). If the archaeologist determines that the find does not meet the CEQA standards of significance, construction shall proceed. On the other hand, if the archaeologist determines that further information is needed to evaluate significance, the Community Development Department staff shall be notified and avoidance measures or an appropriate data recovery plan shall be prepared.

All future development in the Planning Area will be in accordance with state laws pertaining to the discovery of human remains. Accordingly, if human remains of Native American origin are discovered during project construction, the developer and/or the Community Development Department would be required to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Pub. Res. Code Sec. 5097). If any human remains are discovered or recognized in any location on a project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

Chapter Three: Settings, Impacts, and Mitigation Measures
3.12 Cultural Resources

- A. The Tulare County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
- B. If the remains are of Native American origin:
1. The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or
 2. The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

Existing federal and state laws, as well as the following policies in the proposed General Plan, would reduce these potential impacts on unique on archaeological resources or human remains to less than significant levels.

Proposed General Plan Policies that Reduce the Impact

- OSC-O-11 Preserve and protect historic features and archaeological resources of the Visalia planning area including its agricultural surrounding for aesthetic, scientific, educational and cultural values.
- OSC-P-42 Establish requirements to avoid potential impacts to sites suspected of being archeologically, paleontologically, or historically significant or of concern, by:
- Requiring a records review for development proposed in areas that are considered archaeologically or paleontologically sensitive;
 - Determining the potential effects of development and construction on archaeological or paleontological resources (as required by CEQA);
 - Requiring pre-construction surveys and monitoring during any ground disturbance for all development in areas of historical and archaeological sensitivity (defined as areas identified according to the National Historic Preservation Act as part of the Section 106 process); and
 - Implementing appropriate measures to avoid the identified impacts, as conditions of project approval.

In the event that previously unidentified historical, archaeological, or paleontological resources are discovered during construction, grading activity in the immediate area shall cease and materials and their surroundings shall not be altered or collected. A qualified archaeologist or paleontologist must make an immediate evaluation and avoidance measures or appropriate mitigation should be completed, according to CEQA Guidelines. The State Office of Historic Preservation has issued recommendations for the preparation of Archaeological Resource Management Reports that will be used as guidelines.

Mitigation Measures

None required.

3.12-3 Implementation of the proposed General Plan could destroy, directly or indirectly, a unique paleontological resource or site or unique geologic feature. (Less than Significant)

The University of California Museum of Paleontology lists 25 localities where fossils have been found in Tulare County. As these are not mapped, it is possible that one or more of these is located within the Planning Area. In addition, there is the potential to encounter unidentified fossils during construction of new development. Since fossils are considered to be nonrenewable resources, such impacts would be considered significant. Adverse impacts to paleontological resources could occur when earthwork activities such as mass excavation cut into geological formations where fossils are buried. These impacts are in the form of physical destruction of fossil remains.

The proposed Plan requires new development to analyze and avoid any potential impacts on paleontological resources by requiring CEQA review on a project-by-project basis and appropriate mitigation measures, such as on-site evaluation and possible fossil recovery in the event fossils are discovered, would reduce the potential of adverse impacts on paleontological resources to a less than significant level.

Proposed General Plan Policies that Reduce the Impact

Policy OSC-P-42 cited under Impact 3.12-2 makes provisions for the accidental discovery of paleontological resources, and helps to reduce this impact to a level that is less than significant.

Mitigation Measure

None required.