

**CITY OF VISALIA**  
**HISTORIC PRESERVATION ADVISORY COMMITTEE**  
**Wednesday, April 27, 2022, at 5:30PM**

CHAIR: Walter Deissler    VICE-CHAIR: Tyler Davis

COMMITTEE MEMBERS:  
Patty Kane, Michael Kreps, Marilyn Mitchell, Jay Hohlbauch

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

**AGENDA**

**A. Citizen's Comments**

**B. Meeting Minutes**

1. April 13, 2022, Regular Meeting

**C. Project Reviews:**

1. **HPAC No. 2022-10 (Continued Hearing):** A request by Corey Evans and Brandie Evans to construct a storage building, a carport, a gate, a flagpole, and demolish a detached garage and wood fencing, located in the R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) Zone. The project site is located at 821 S. Church Street (APN: 097-087-007).
2. **HPAC No. 2022-11:** A request by Jose Mendoza to construct a wood fence, within the R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) Zone. The project site is located at 411 W. Goshen Avenue (APN: 094-351-002).

**D. Discussion Items**

1. Certified Local Government Discussion
2. Local Register of Historic Structures Update
3. Historic Preservation Ordinance Update
4. Letter to Property Owners of Sites on the National Register of Historic Places
5. Review – Annual Report to the Visalia City Council
6. Committee and Staff Comments
  - a. May 2, 2022, Visalia City Council Meeting – Consideration of Jordan Mulrooney Nomination to the Historic Preservation Advisory Committee
7. Identification of Items for Future Agendas

**E. Adjournment**

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

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



# ***City of Visalia***

## ***Memo***



**To:** Historic Preservation Advisory Committee  
**From:** Cristobal Carrillo, Associate Planner (559) 713-4443  
**Date:** April 27, 2022  
**Re:** A request to continue the public hearing for HPAC Item No. 2022-11 (Evans) to a future non-specific date.

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### **RECOMMENDATION**

Staff recommends that the Historic Preservation Advisory Committee (HPAC) continue HPAC Item No. 2022-11 to a future non-specific date. Staff's recommendation is due to the applicant revising the proposal to include conversion of a detached garage into an Accessory Dwelling Unit.

### **DISCUSSION**

Staff has received correspondence from Corey Evans, the project proponent, requesting the HPAC continue HPAC Item No. 2022-11 to a future unspecified date. Evans has stated to staff that they wish to alter the original proposal. Per Evans, it is now requested that the original detached garage initially proposed for demolition be instead converted into an Accessory Dwelling Unit.

Staff supports the applicants request for continuance as it will provide additional time for the applicant to provide revised application materials and for staff to draft a new staff report.

### **ATTACHMENTS**

1. Correspondence from Corey Evans, April 22, 2022

# ADU/ HPAC



Corey Evans <evansisnot@icloud.com>

To ● Cristobal Carrillo



12:33 PM

Retention Policy 45 Day Retention (45 days)

Expires 06/06/2022

 You replied to this message on 04/22/2022 1:43 PM.

Hello Cristobal Carrillo,

I would like to change my proposal to include a conversion of my existing garage into an Accessory Dwelling Unit. I'd also like to request a continuance to an unspecified future date, to allow me time to complete the revised application.

Thank you,

Corey Evans  
821 S Church St.

Sent from my iPhone



## REPORT TO THE CITY OF VISALIA HISTORIC PRESERVATION ADVISORY COMMITTEE

**HEARING DATE:** April 27, 2022

**PROJECT PLANNER:** Cristobal Carrillo, Associate Planner  
Phone: (559) 713-4443  
E-mail: [cristobal.carrillo@visalia.city](mailto:cristobal.carrillo@visalia.city)

**SUBJECT:** Historic Preservation Advisory Committee Item No. 2022-11: A request by Jose Mendoza to construct a wood fence, within the R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) Zone. The project site is located at 411 W. Goshen Avenue (APN: 094-351-002).

### STAFF RECOMMENDATION

Staff recommends that the Historic Preservation Advisory Committee (HPAC) approve the proposed fencing request as described in the findings and conditions of this report.

### SITE DATA

The site is zoned R-1-5 and is located within the Historic District. The residence onsite is listed on the Local Register of Historic Structures with a "Background" classification.

The site contains a single-family residence with an accessory dwelling unit in the rear. The residence contains "Bungalow" style architectural elements.



### PROJECT DESCRIPTION

The applicant proposes placement of a four-foot-tall Douglas fir wood fence along the northern boundary of the project site, and along the along the northern 17 feet of the western and eastern property boundaries (see Exhibit "A"). A gate is included along the northern boundary for pedestrian access to the residence. Per the elevation in Exhibit "B" the wood fencing has already been placed onsite without HPAC review or Building Permit issuance. The applicant was notified of the issue by Code Compliance staff in June 2021.

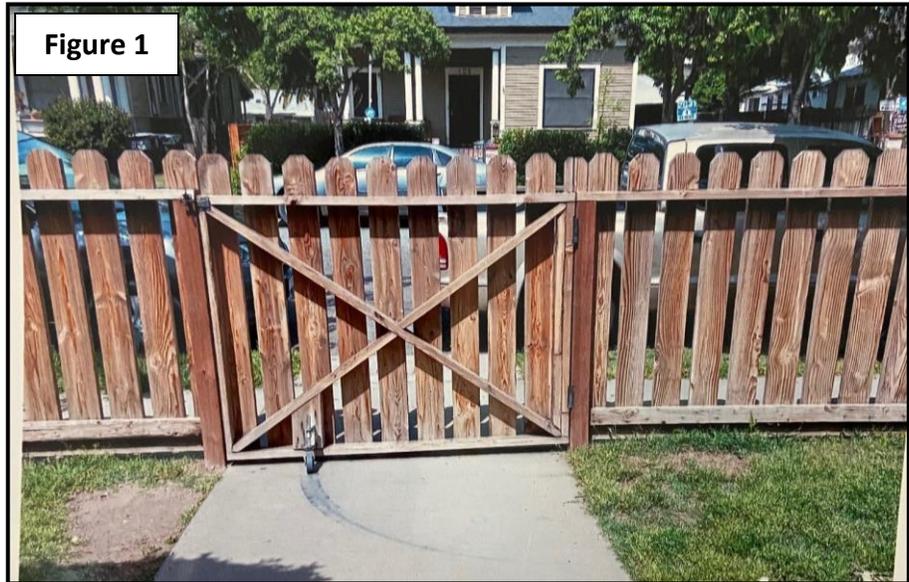
### DISCUSSION

#### Development Standards

Per the requirements of the R-1-5 Zone, fencing within the 15-foot front yard setback shall be no taller than three feet if solid or four feet if "50% open" (ex. chain link, picket, or open metal fencing). Per the applicant, the fencing is four feet tall and is made of wood pickets. However, the fencing as shown in Figure 1 does not meet the standard of "50% open" as the spacing in between each wood slat is not equivalent to the width of each slat. As such, Condition of Approval No. 2 is recommended requiring the applicant to comply with development

standards for fencing, to be demonstrated during Building Permit review. This can be achieved through either lowering the height of the fence or removing pickets to meet the “50% open” standard.

Per City mapping systems, it also appears that a portion of the fencing along the northern property boundary is located within the public right-of-way. Fencing would need to be relocated to not encroach into the right-of-way. Alternatively, the City has recently allowed temporary encroachment of fencing using “license agreements”, in which the City and property owner agree to allow encroachment into public rights of way until such time as improvement work requires removal/relocation at the owner’s expense. Given the above, staff recommends inclusion of Condition of Approval No. 3 requiring the applicant to either relocate the fence south to the property line or enter into a license agreement with the City to allow encroachment until such time as right of way work requires removal/relocation. If the latter option is chosen, the applicant will be required to enter into a license agreement prior to issuance of a Building Permit for the fencing.



### Architectural Compatibility

Section 17.56.100 of the Historic Preservation Ordinance provides the HPAC with criteria with which to evaluate fencing on properties. The section notes that for “*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.*”

Though not identified in the above section, wood fencing as shown in Exhibit “B” has been previously established by the HPAC as an acceptable material for historically designated sites. The fencing is compatible with wood fencing in other areas of the Historic District and is similar in aesthetic to fencing that was previously located onsite (see Exhibit “C”). The wood fencing material is rustic in appearance, thus blending well with the naturalistic Bungalow architecture of the residence. Given the above, the proposal is considered appropriate for the project site and compatible with adjacent streetscape and Historic District as a whole.

### **FINDINGS AND CONDITIONS**

For HPAC Item No. 2022-11 staff recommends that the Committee approve the fence request subject to conditions listed below, based upon the following:

1. That the building is listed on the Local Register of Historic Structures and is within the Historic District.
2. That the proposed fencing is consistent with residential uses in the Historic District.
3. That the proposed fencing is consistent with the Historic Preservation Ordinance and Historic Preservation Element.

4. That the proposed fencing design will not be injurious to the character of the Historic District.

And subject to the following conditions:

1. That the site be developed consistent with the site plan in Exhibit "A" and elevations in Exhibit "B".
2. That the applicant shall comply with all development standards for fencing, including the "50% open" requirement for four-foot-tall fencing within the front yard setback. Compliance shall be demonstrated during Building Permit review.
3. That the applicant shall relocate the fence so that it does not encroach into City of Visalia public right-of-way or enter into a license agreement with the City of Visalia to allow encroachment of the fence into the public right-of-way until such time as right-of-way improvements require relocation/removal of the fence. If the fence is to be moved, the relocation shall occur prior to finalization of the Building Permit. If a license agreement is to be utilized, the agreement shall be executed and recorded with the Tulare County Recorder prior to issuance of a Building Permit for the project.
4. That the project undergoes the appropriate City permitting process for placement of a fence on the project site.
5. That any other exterior alterations to the site shall be brought before this Committee for review and approval prior to the issuance of any Building Permits and/or their installation or construction.
6. That all other City codes, ordinances, standards, and regulations shall be met.

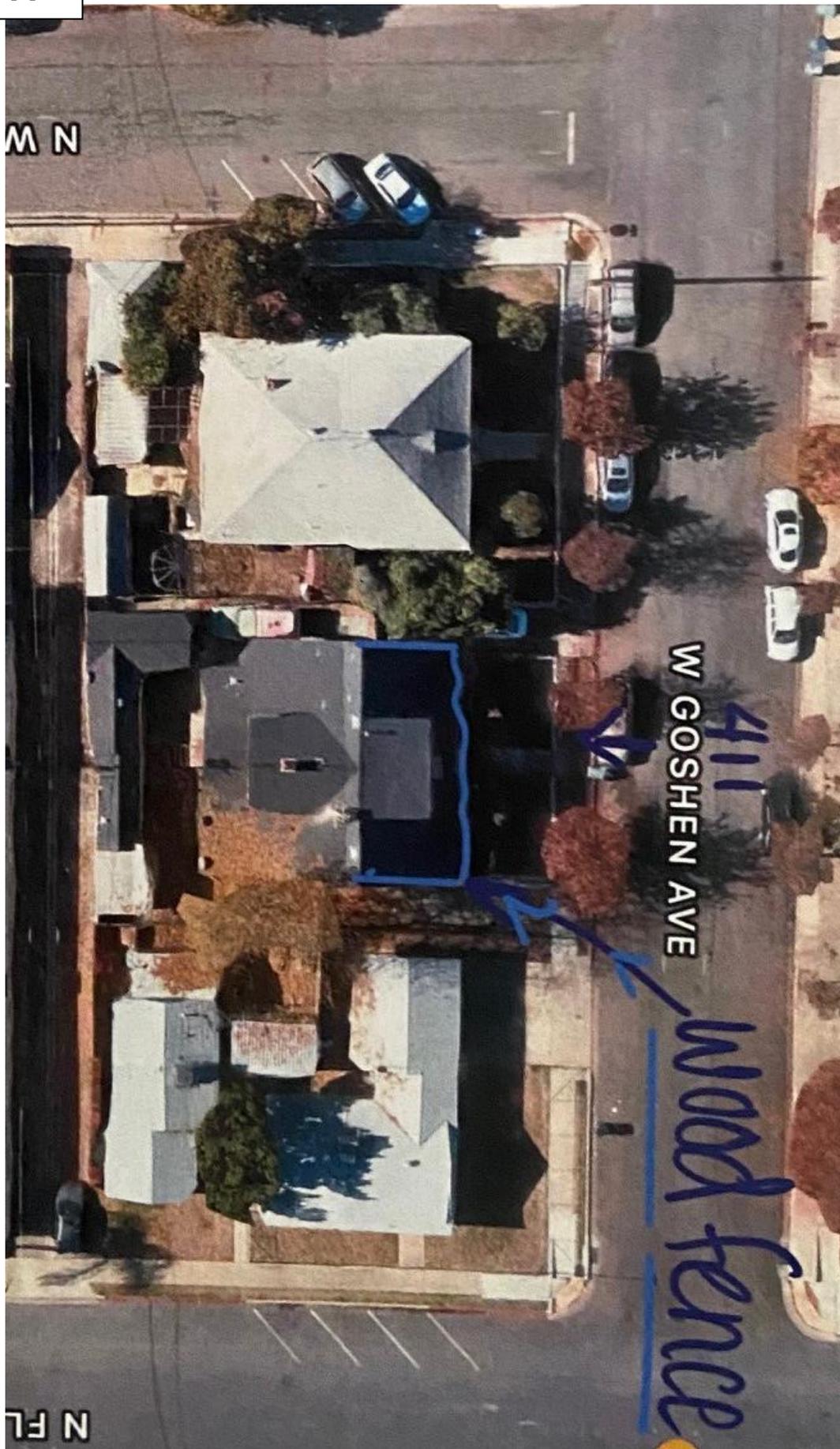
## **ATTACHMENTS**

- Exhibit "A" – Site Plan
- Exhibit "B" – Elevations
- Exhibit "C" – Former Fence
- Aerial Map
- Historic District and Local Register Map

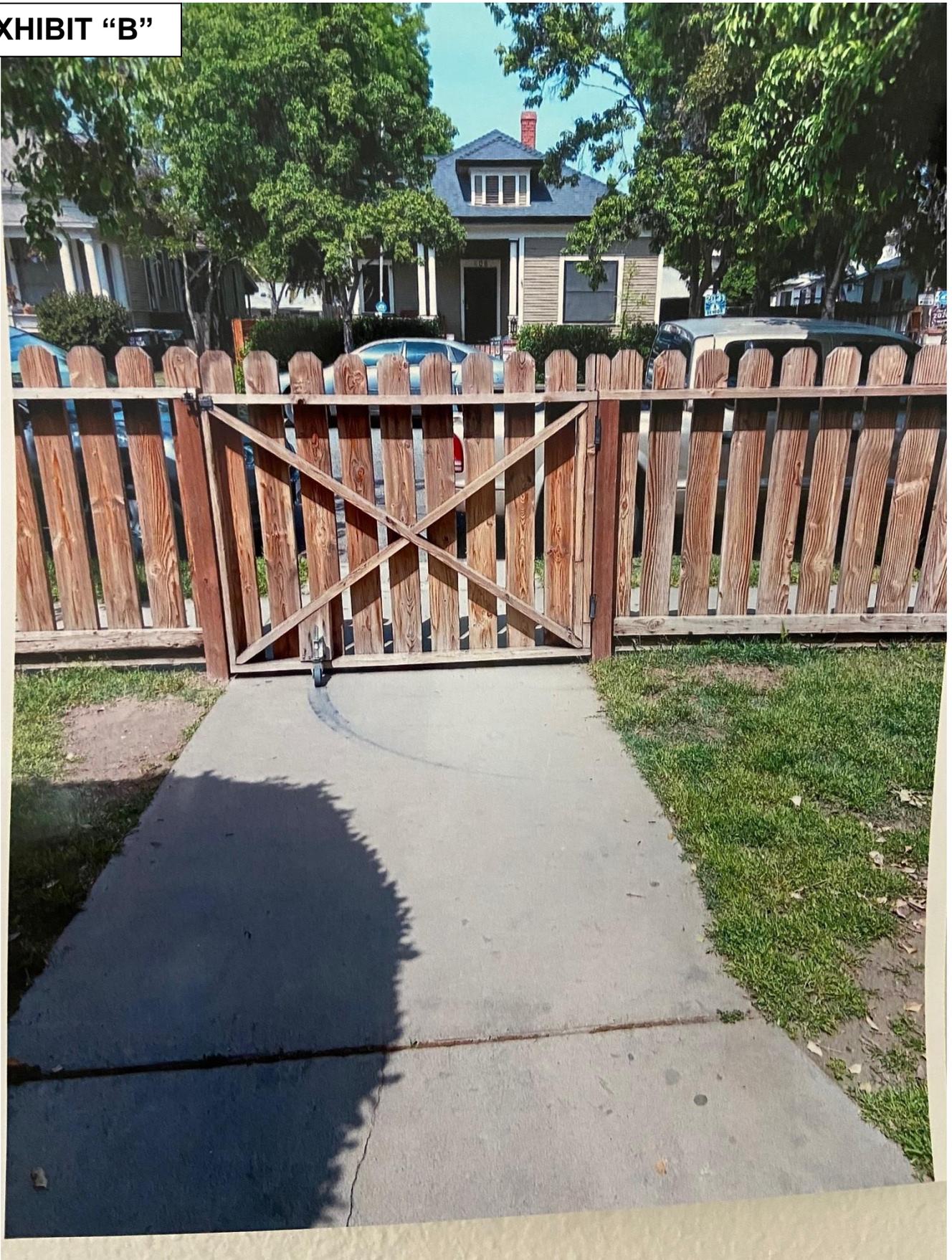
### **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.56.060, an appeal to the City Council may be submitted within ten days following the date of a decision by the Historic Preservation Advisory Committee (HPAC). An appeal shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street. The appeal shall specify errors or abuses of discretion by the HPAC, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

EXHIBIT "A"

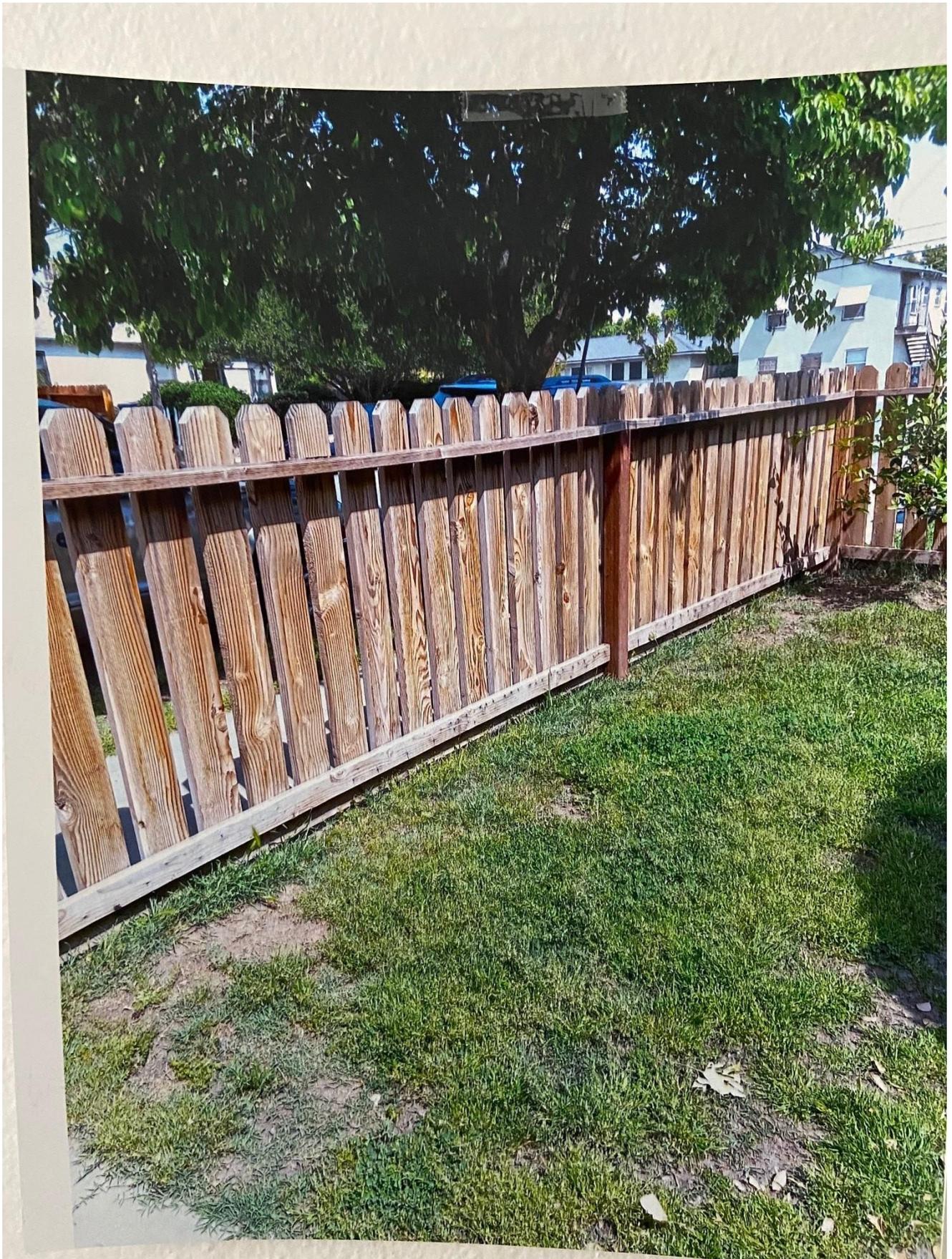


**EXHIBIT "B"**





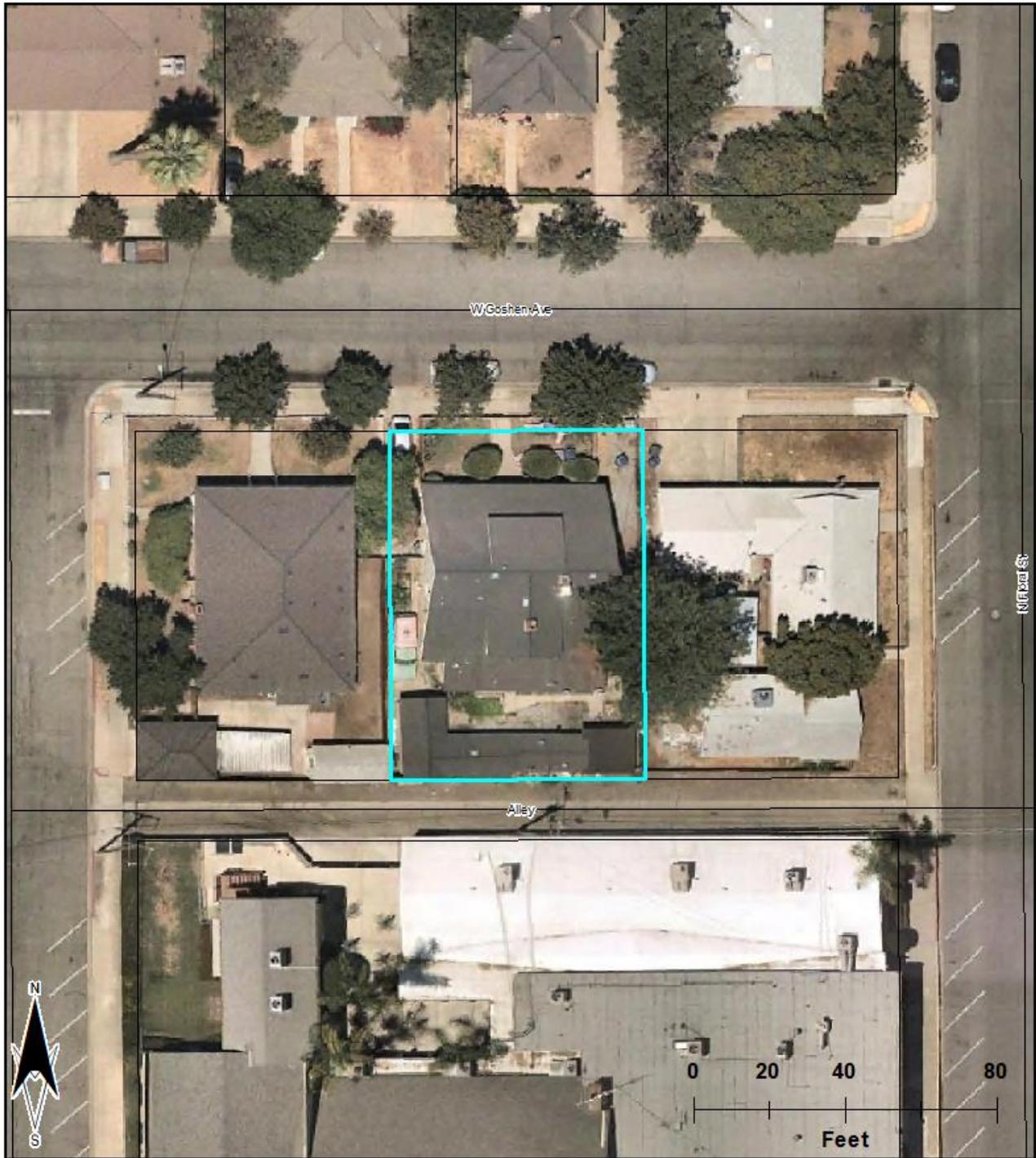
HPAC Item No. 2022-11 – New Fence



HPAC Item No. 2022-11 – New Fence

**EXHIBIT "C"**

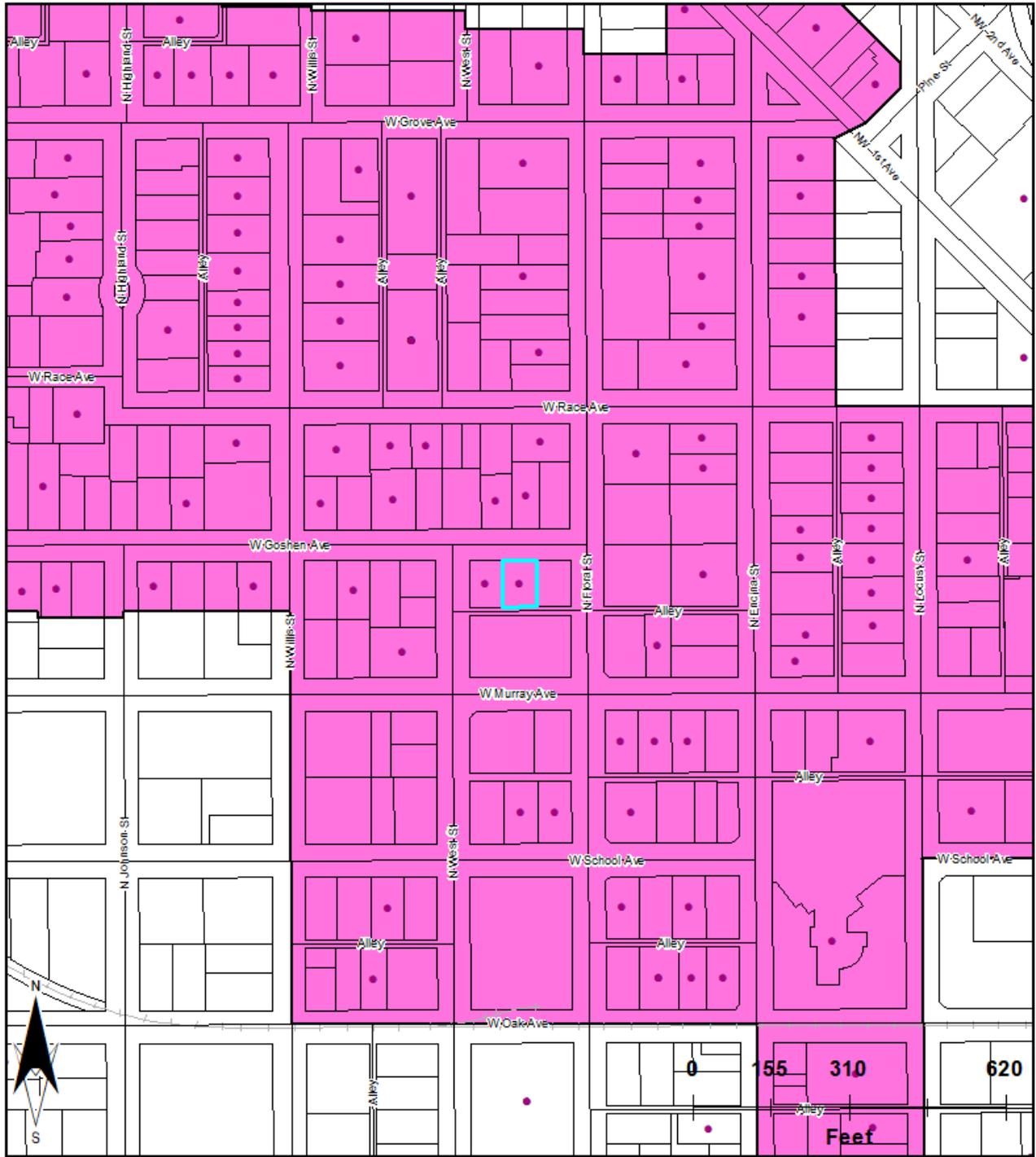




**HPAC No. 2022-11  
411 W. Goshen Ave.**

**Aerial Map**

-  City Limits
-  Streets
-  Railroad
-  Waterways
-  Parcels



**HPAC No. 2022-11  
411 W. Goshen Ave.**

**Historic District and Local Register Map**

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

## Certified Local Government Subcommittee Report

The Certified Local Government (CLG) subcommittee met to review and discuss the requirements for certification with the State of California Certified Local Government program. Below are the Pros and Cons from the discussion. The subcommittee did not come to a definitive conclusion, feeling that the entire HPAC should vote to either approve or deny applying to become a Certified Local Government.

Additionally, the subcommittee discussed researching alternative funding opportunities: the Mills Act (for property tax reductions) and Proteus (repairs and improvements for low income property owners in the Historic District).

Pros	Cons
Increases credibility – further legitimizes our committee and our decision-making processes	<p>Requires quite a lot of work for little benefit.</p> <ul style="list-style-type: none"> <li>• Documents required to submit with application are substantial. This is a partial list:               <ul style="list-style-type: none"> <li>○ City resolution,</li> <li>○ HPAC members and city staff names, resumes, phone numbers, qualifications</li> <li>○ Copies of survey including information on the progress and future uses,</li> <li>○ Narrative summary explaining current HPAC functions, responsibilities and authority</li> <li>○ Narrative summaries of current program activities and</li> <li>○ Active city organization chart.</li> </ul> </li> <li>• Requires annual reports to maintain certification.</li> <li>• Additional workload but we've already done the heavy lifting with our two projects</li> </ul>
Availability of training and workshops (committee member education)	Can be considered a Pro or Con?
Strengthens our goals and objectives in regard to the overall city development and planning	Public pushback (?) – Given the last public meeting, this is probably not a concern
Helps standardize nominations to the National Register – based on the Secretary of Interior standards	The Fox Theater isn't on the National Register. We should determine if there are other properties that should be added as well.
Already meet most of the requirements to become a CLG, and it's in the city's General Plan document	Since much of this work already completed, can't determine what value is there to becoming CLG.
GRANTS – money available for online resources (database), homeowner education, style/repair guidelines for historic properties	<p>No direct dollar benefit to Historic District properties.</p> <ul style="list-style-type: none"> <li>• Dollar amount of grants is fairly small, \$5,000 - \$25,000. Money can't be used to restore, acquire, maintain or reconstruct</li> </ul>

Pros	Cons
	<p>properties.</p> <ul style="list-style-type: none"><li>• Money can only be used for many of the activities we have already completed (eg. ordinance revisions, surveys, preparing reports, developing community preservation education, preparing National Register of Historic Places nominations.</li><li>• Requires cash or in-kind match (60% Federal, 40% city)</li></ul>
Resources (database), homeowner education, style/repair guidelines for historic properties	

2010

California Office of Historic Preservation  
Department of Parks & Recreation  
*Local Government Assistance*



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Washington DC 20013-7127

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# INTRODUCTION

Preserving important historic properties as reflections of our American heritage became a national policy through passage of the Antiquities Act of 1906, the Historic Sites Act of 1935, and the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) (NHPA). In part, the NHPA instructed the Federal Government to assist local governments to expand and accelerate their historic preservation programs and activities. Since enactment of the NHPA, the historic preservation expertise and activities of local governments have significantly increased. The act, however, provided no opportunity for local governments to be involved formally in the national historic preservation program. Lack of formal participation by local governments often meant that historic preservation issues were not considered until development planning was well underway. This often resulted in preservation/land development conflicts causing project delays and increasing costs. In addition, opportunities frequently were lost for preservation-oriented development that could satisfy both preservation and development goals.

In recognition of the need to involve local governments in historic preservation, the 1980 amendments to the NHPA provided a specific role for local governments in the national program by establishing the Certified Local Government (CLG) program. A CLG is a local government whose local historic preservation program has been certified pursuant to Section 101 (c) of the NHPA. Any local government is eligible to apply for certification. Once certified, a local government must be included in the process of nominating properties to the National Register of Historic Places and will be eligible to apply to the state for a share of the state's annual Historic Preservation Fund (HPF) allocation.

## **What is the Certified Local Government Program?**

The 1980 amendments to the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), provided for the establishment of a Certified Local Government (CLG) Program. The CLG program is a national program designed to encourage the direct participation of a local government in the identification, registration, and preservation of historic properties located within the jurisdiction of the local government. A local government may become a CLG by developing and implementing a local historic preservation program based on federal and state standards. The CLG program is administered in California by the State Office of Historic Preservation (OHP).

The CLG program is intended to foster the integration of preservation planning into other planning processes and ensure that historic resources are identified and considered in making planning decisions. It is not intended to be another or more burdensome layer of control, but instead to support good planning practices. The CLG program encourages the preservation of cultural resources by promoting a partnership among local governments, the State of California, and the National Park Service (NPS)

which is responsible for the National Historic Preservation Program. Becoming a CLG can provide local staff and commissions the tools, technical training, and more meaningful leadership roles in the preservation of the community's cultural heritage. Local interests and concerns are integrated into the official planning and decision-making processes at the earliest possible opportunity.

In response to the federal government's 1995 initiative for simplifying the National Park Service's oversight of the national historic preservation program, the NPS revised 36 CFR 61 to provide each state with greater discretion in carrying out the responsibilities mandated in the National Historic Preservation Act. Decisions on membership requirements for local preservation commissions are left entirely to the states. The requirement that local preservation commissions consult outside professionals in certain instances is eliminated.

## **Who Can Apply for Certified Local Government Status?**

Any local government is eligible to apply to the State Historic Preservation Officer (SHPO) for certification. A local government is any general purpose political subdivision of California such as a city, county, or city/county; or any other general purpose political division of the state with the exception of regional commissions, councils of governments, and special districts. It is important to be aware that certification pertains to the entire local government and its agencies, not simply to the preservation commission that serves the local government.

## **When Are CLG Applications Accepted?**

Local governments may apply for CLG status at any time. However, in order to apply for grants through the CLG program, a local government must be certified prior to the grant application deadline which is usually the last week of April. Note that the CLG grant application process is separate from the certification application and requires completion of a grant application form.

## **What are the Procedures for Certification?**

Prior to submitting an application or obtaining the elected officials' authorization, OHP encourages the local government representative to consult with the Local Government Unit of the California State Office of Historic Preservation and submit a draft application for a preliminary review to ensure that the local government's preservation program meets the state requirements and National Park Service CLG program criteria.

Once the draft application has been approved, the chief elected official of the local government applying for CLG status shall request certification from the California State

Historic Preservation Officer (SHPO) in writing. The official request for certification shall include the Certification Application Checklist, CLG Certification Application Form, and CLG Certification Application Attachments found in Appendix A.

Within forty-five (45) days of receipt of an adequately documented application, the SHPO shall review the certification application. If certification is recommended, the SHPO will forward a Certification Agreement to the local government for signature. The Certification Agreement shall identify the required responsibilities of the local government when certified. SHPO concurrence, which shall include a copy of the signed certification agreement and a signed review checklist, shall be forwarded to NPS for final review and approval as a CLG. NPS has final approval to certify local governments as CLGs; their date of approval is the effective date of certification.

## Why Become a Certified Local Government?

What does certification mean? What's in it for the local jurisdiction? Why would you want to associate your local preservation program with state and federal programs? Does certification create additional state or federal oversight or control over local programs?

**Credibility:** The National Historic Preservation Act (NHPA), passed in 1966, built upon established preservation practices. The NHPA created the National Register of Historic Places; its criteria are widely recognized and they have been tested legally (reviewed, refined by adoption into regulations, tested and upheld in courts). Amendments to the NHPA created the CLG program. The Secretary of the Interior's Standards and Guidelines for preservation planning and the identification, evaluation, registration, and treatment of historic properties were published in 1983. Although the California Register of Historical Resources is much newer (1992), its criteria and procedures parallel the National Register.

When your local survey program is consistent with the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* and your designation criteria are consistent with the National Register and California Register criteria, you know you are on safe ground. Similarly, use of the Secretary of the Interior's Standards for Treatment of Historic Properties provides established criteria for evaluating projects and granting Certificates of Appropriateness that have stood the tests of time, reasonableness, and the courts. Consistency with national and state regulations and established preservation practices insulates the local preservation program from charges of being arbitrary and capricious. Becoming a CLG provides the local program the added value of prestige and cachet.

**Technical Assistance:** OHP provides technical assistance, training, workshops, and consultation services to CLGs. A prerequisite for becoming a CLG is access to a listserv hosted by the OHP. Membership to the listserv is limited to SHPO staff, CLG coordinators, members of CLG boards/commission, and other interested staff in the

CLG. It is a communication and networking tool that offers the Office of Historic Preservation and CLGs the opportunity to submit suggestions or questions to other members of the listserv. SHPO staff also uses the listserv to forward information about training opportunities, publications, grants, and a variety of technical assistance to CLGs.

**Streamlining:** The use of the National Register/California Register criteria and the Secretary of the Interior Standards integrates local, state, and federal levels of review. It brings clarity to the question of what resources are significant when it comes to CEQA and Section 106 of the National Historic Preservation Act. Adopting the Secretary of the Interior's Standards will allow the use of categorical exemptions under CEQA, and likely result of findings of no adverse effect under Section 106. The use of these criteria and standards make environmental review faster, more efficient, and reduces costs and delays.

**Involvement:** The CLG program brings local preservation boards and commissions into broader local land use planning and project approval processes. CLGs have the responsibility to involve their boards/commissions in the CEQA and Section 106 review process, as well.

**Funding:** Each state is required to pass through 10% of its annual Historic Preservation Fund grant from the National Park Service to CLGs to fund their preservation activities. California has chosen to make this money available to CLGs for a wide variety of preservation planning activities through a competitive grant program. This funding is not a large amount – grants range between \$5000 and \$25,000 – but it can support important activities including completion of a preservation element or plan, developing a historic context, conducting a survey, preparation of a National Register district application, or the update of an ordinance. Work funded by a CLG grant is expected to conform to state and federal standards.

**Autonomy:** When your local government decides to become a CLG, it agrees to carry out the intent of the NHPA and the Secretary of the Interior's Standards. Recognizing that individual local governments and individuals employed by those local governments often do not have all the background, training, and skills to achieve a good balance between development and preservation, SHPO reviews the structure and processes of the local preservation program, and may comment on or make suggestions about strategies a local government can use to accomplish its goals and objectives. Beyond that, neither the NPS nor SHPO have any regulatory authority over local governments.

Neither the NPS nor SHPO dictate the content of historic preservation plans or ordinances; neither the NPS nor SHPO review nor is their approval needed prior to the selection and appointment of individual local preservation commissioners by local government officials. In no way is the autonomy of a local government decreased by becoming a CLG. However, a CLG may be decertified if it establishes policies or adopts practices that violate the intent of the National Historic Preservation Act.

**Economic Benefits:** Although there are no direct economic benefits to being a CLG other than the opportunity to compete for CLG grants, your CLG's commitment to historic preservation does result in multiple economic benefits to the community. Where preservation is supported by local government policies and incentives, designation can increase property values and pride of place. Revitalization of historic downtowns and adaptive reuse of historic districts and buildings conserves resources, uses existing infrastructure, generates local jobs and purchasing, supports small business development and heritage tourism and enhances quality of life and community character.

**Preserve America:** Because CLG status indicates a community's commitment to historic preservation at the local level, it makes the local government a prime candidate to become a Preserve America community and streamlines the application process. Preserve America is a national initiative that recognizes and designates communities, including neighborhoods in large cities that protect and celebrate their heritage, use their historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs. In addition to White House recognition and local signage, Preserve America communities are eligible for federal grants to support community efforts to demonstrate sustainable uses of their historic and cultural sites and the economic and educational opportunities related to heritage tourism. OHP does not administer the Preserve America program. However, Preserve America Applicants are required to consult with the SHPO as part of the application process.

## **What are the Requirements for Certification?**

### **FIVE BASIC PROGRAM REQUIREMENTS**

The chief elected official of the local government must submit an application to the SHPO requesting certification. Local governments may be certified to participate in the CLG program by complying with the five minimum responsibilities of a CLG. Local governments must:

- Enforce appropriate state and local legislation for the designation and protection of historic properties;
- Establish a qualified historic preservation review commission by local law;
- Maintain a system for the survey and inventory of historic properties;
- Provide for adequate public participation in the local historic preservation program, including the process of reviewing and recommending properties for nomination to the National Register of Historic Places; and
- Satisfactorily perform the responsibilities delegated to it by the state.

## **Enforce appropriate state and local legislation for the designation and protection of historic properties.**

CLGs must enact and enforce a local historic preservation ordinance. State enabling legislation, found at California Government Code Sections 65850, 25373, and 37361, provides for local jurisdictions to enact appropriate historic preservation legislation. Additionally, the local legislation shall be consistent with the intent and purpose of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470).

Along with other local governments, CLGs must enforce the California Environmental Quality Act (CEQA) regulations in relation to historical resources, and participate, as appropriate, in the environmental review of federally-sponsored projects under Section 106 of the National Historic Preservation Act of 1966, as amended.

Designation refers to the identification and registration of both historic and prehistoric properties for purposes of protection using criteria established by the local government. Designation requirements and procedures must be consistent with the Secretary of the Interior's Standards for Identification and Registration. Adoption of criteria that closely follows the National Register of Historic Places and the California Register of Historical Resources is encouraged.

Protection refers to the local review process under local law for proposed demolition of, changes to, or other action that may affect properties that have been designated pursuant to the local ordinance. This would not include properties listed on or determined eligible for the national Register of Historic Places or California Register of Historical Resources unless those properties were also designated under the local designation process.

The CLG will prepare a comprehensive local historic preservation plan or preferably, a historic preservation element in the community's general plan. The plan or element will identify preservation missions, goals, and priorities and will establish preservation strategies, programs, and time schedules. It will also be used to support and justify CLG grant applications.

The CLG is encouraged to adopt and implement the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* relevant to CLG need and activities ([www.nps.gov/history/local-law/arch\\_stnds\\_0.htm](http://www.nps.gov/history/local-law/arch_stnds_0.htm)).

## **Establish a qualified historic preservation review commission by local law.**

A qualified historic preservation review commission means a board, council, committee, commission or other similar body established by local legislation whose primary purpose is historic preservation and whose membership includes a minimum of five (5) individuals, all of who have a demonstrated interest in, competence or knowledge in historic preservation.

Members must be appointed by the chief elected official of the jurisdiction, unless otherwise provided by local legislation. The appointing authority shall make interim appointments to fill unexpired terms in the event of vacancies occurring during the term of members of the commission within sixty (60) days.

To the extent available in the community, the CLG will appoint a minimum of two professional members from the disciplines of architecture, history, architectural history, planning, archeology, or other historic preservation related disciplines, such as urban planning, American studies, American civilization, cultural geography, or cultural anthropology. Local governments can be certified without this minimum professional qualified membership if they can demonstrate they have made a reasonable effort to fill those positions.

When a relevant historic preservation discipline is not represented in the commission membership, the commission shall be encouraged to draw upon such expertise in this area when considering National Register nominations requiring the application of such expertise.

The commission must meet a minimum of four times per year and each commissioner must attend annually at least one training session that meets the requirements of the CLG program. CLG commissioners and staff should develop training requirements that meets the needs of local historic preservation programs.

The commission is the local governmental entity responsible for preparing and submitting an annual report to the SHPO each year. The format and content the most recent annual report is available on the SHPO's website ([www.ohp.parks.ca.gov/?page\\_id=21239](http://www.ohp.parks.ca.gov/?page_id=21239)).

### **Maintain a system for the survey and inventory of historic properties**

Because historical contexts and surveys are the foundation of preservation planning, CLGs must develop or have in place a system for identifying, evaluating, inventorying, and registering historical and cultural resources within their jurisdiction,

Upon certification, CLGs will forward to the SHPO copies of all pre-existing survey and inventory information.

Surveys carried out by or at the direction of a CLG are expected to meet the Secretary of the Interior's Standards and Guidelines for Identification and Evaluation, and use State-approved inventory forms (DPR 523 series) and/or electronic data standards to ensure that the data can be integrated into the statewide California Historical Resources Information System (CHRIS). (This policy does not apply to survey data produced before the effective date of CLG certification.)

Evaluative criteria must be consistent with the National Register of Historic Places and the California Register of Historical Resources, and conform to the Secretary of the Interior's Standards for Identification and Evaluation. (This policy does not apply to survey data produced before the effective date of CLG certification.)

Communities which have conducted surveys in the past must periodically update their survey data as new resources become eligible for consideration, or when older surveys warrant re-examination over time. CLGs are required to submit survey updates and new surveys to OHP for inclusion in the statewide database.

The CLG commission shall establish internal procedures to facilitate the use of survey results in the planning process by the CLG officials and departments. The commission shall submit survey results to the local government for adoption, then forward to OHP. Copies of the survey results must be made available to the public, with the exception of certain sensitive historic and prehistoric sites and should be on deposit at the local planning department, building and safety office, public works department, and redevelopment agency. Local libraries, colleges, and historical societies should also receive copies. SHPO will make copies available for the appropriate CHRIS regional center.

#### **Provide for adequate public participation in the local historic preservation program**

Public participation is an integral feature of any preservation program and the CLG shall provide opportunities for public participation in all CLG programs and activities.

The CLG will encourage public participation at commission meetings. All local preservation commission meetings must be open to the public and meet the requirements of the Ralph M. Brown Act for open meetings (California Government Code Section 54950 et seq.). Meeting agendas and minutes of commission meetings must be publicly available.

Public participation shall be encouraged in the CLG's survey program at all levels of responsibility to identify and inventory significant cultural resources. Survey results shall be a public record and on file at a public institution, with the exception of archeological and other sensitive sites.

The local government must provide for public participation in the CLG's process for evaluating properties for nomination to the National Register of Historic Places.

The CLG shall encourage the public to participate in the review of projects and undertakings subject to the California Environmental Quality Act and Section 106 of the National Historic Preservation Act.

## **Satisfactorily perform the responsibilities delegated to it by the state**

The CLG must have the legal authority to fulfill the minimum requirements specified in this application manual.

At the discretion of the SHPO and with mutual written agreement with the local government, or by federal mandate from the National Park Service, additional responsibility may be delegated to the CLG.

## **ADDITIONAL REQUIREMENTS.**

### **National Register Nominations**

The CLG has the obligation to participate in the nomination of properties to the National Register of Historic Places pursuant to Section 101 (c)(2)(A) of the National Historic Preservation Act: "Before a property within the jurisdiction of the certified local government may be considered by the State to be nominated to the Secretary [of the Interior] for inclusion on the National Register, the State Historic Preservation Officer shall notify the owner, the applicable chief local elected official, and the local historic preservation commission. The commission, after reasonable opportunity for public comment, **shall** [emphasis added] prepare a report as to whether or not such property, in its opinion, meets the criteria of the National Register."

### **Annual Reviews**

In order to maintain certification, CLGs are required to submit reports annually that detail their historic preservation programs' accomplishments and actions. The annual reports cover the federal fiscal year, October 1 – September 30. Each CLG is sent a reminder letter and the annual report format. The CLG must have submitted an annual report for the previous reporting period in order to be eligible to submit a CLG grant application. Although the majority of the report format remains fairly constant, some changes may occur from year to year. The format for the most recent annual report is posted on SHPO's website ([www.ohp.parks.ca.gov/?page\\_id=21239](http://www.ohp.parks.ca.gov/?page_id=21239)).

### **Decertification**

In order to remain a CLG the local government must continue to meet the minimal requirements of the program and to meet the performance standards specified in the CLG certification agreement.

The SHPO may recommend decertification to the National Park Service if all of the following conditions have been met:

- The SHPO determines that a CLG's performance does not meet the performance standards specified in the Certification Agreement; and

- The SHPO specifies to the CLG in writing ways to improve performance with a period of time by which deficiencies must be corrected or improvements must be achieved; and
- After the period of time stipulated by the SHPO, the SHPO determines that there has not been sufficient improvement.

Failure to perform acceptably under a Historic Preservation Fund grant is not in itself sufficient grounds for decertification. The SHPO must notify the CLG in writing prior to or at the time of its recommendation to NPS for decertification. The notification must state the specific reasons for the proposed decertification, describe the SHPO's technical assistance efforts, and affirm that the SHPO will notify the CLG of the NPS concurrence with the decertification.

The SHPO may also recommend decertification if a CLG requests in writing to be decertified. The SHPO must forward a copy of the CLG's letter as an enclosure to the SHPO's request to decertify the CLG.

If the CLG had been delegated Section 106 responsibilities in its jurisdiction by the State, and a Programmatic Agreement had been executed by the Advisory Council on Historic Preservation (ACHP), then the SHPO must notify the ACHP that the CLG has been decertified.

The effective date of decertification is when the National Park Service concurs in writing with the SHPO's recommendation to decertify the CLG. If the local government wishes to become recertified it must reapply for certification.

## **What about the CLG Grants Program?**

OHP is required by federal law to pass through at least 10% of its annual Federal Historic Preservation Fund (HPF) allocation to Certified Local Governments for historic preservation planning projects and programs which promote the identification, evaluation, nomination, and preservation of their communities' significant cultural resources and are consistent with the Statewide Historic Preservation Plan. Bricks and mortar projects are not eligible.

The annual grant cycle begins with the notification to all CLGs of the funding availability in January of each year. Grant applications are due at the end of April and the recipients are announced by June. Grant funded projects are to begin October 1 and must be completed by the following September. CLG grants are awarded on a competitive basis in amounts from \$2,500 - \$25,000. Cash or in-kind match is required: 60% Federal/40% applicant.

The CLG grants program manual and grant application is available on OHP's website at [www.ohp.parks.ca.gov/?page\\_id=24493](http://www.ohp.parks.ca.gov/?page_id=24493). The grants manual is updated annually to reflect statewide preservation priorities, Consult the manual for detailed information

about what activities are eligible for funding, the criteria used in awarding the grants, and the obligations of grant recipients.

Grant-eligible activities include projects such as the following:

- Developing or revising general plan historic preservation elements
- Ordinance revisions
- Developing historic contexts and conducting historic resource surveys
- Preparing National Register of Historic Places district nominations or multiple property submissions
- Developing archaeological preservation plans
- Developing design guidelines for historic properties
- Developing community-based preservation education and outreach programs including historic homeowner education. OHP will consider joint proposals with other local governments to fund a circuit rider staff person to provide technical assistance to a group of local government preservation programs.
- Preparing historic structure reports/historic structure preservation plan
- Historic Resource information management such as developing a web-based application to make historic resource information publically available online

CLGs may not use HPF grants for construction or restoration of buildings and structures, acquisition of historic properties, maintenance or operation of historic properties, interpretive displays, or purchase of computers or other equipment. CLG grant funds can not be used as match for any other federal grant or for lobbying purposes.

## **Where Can I Get More Information?**

If you have any questions about this program, the certification application process, or the preparation and development of local preservation documents and programs, e.g., preparation of a historic preservation ordinance, development of a survey program, etc., please contact the Local Government Unit, Office of Historic Preservation, 1725 23<sup>rd</sup> Street, Sacramento, CA 95816, phone (916) 445-7000, fax (916) 445-7053.

Information on the [Certified Local Government Program](http://www.ohp.parks.ca.gov) is available online at [www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov).

Also see Section 101(c)(1) and 9(c)2 of the National Historic Preservation Act of 1966, as amended ([http://www.nps.gov/history/history/online\\_books/fhpl/nhpa.pdf](http://www.nps.gov/history/history/online_books/fhpl/nhpa.pdf)) and 36 CFR Part 61.6 of the Procedures for State, Tribal, and Local Government Historic Preservation Programs ([http://edocket.access.gpo.gov/cfr\\_2005/julqtr/pdf/36cfr61.6.pdf](http://edocket.access.gpo.gov/cfr_2005/julqtr/pdf/36cfr61.6.pdf)). .

## APPENDICES

### Appendix A: Application Materials\*

- **Certification Application Checklist\***
- **CLG Certification Application Form\***
- **CLG Certification Application Attachments\***
- **Statement of Commissioner Qualifications Form\***

### Appendix B: Sample Resolution

### Appendix C: Sample Certification Agreement

### Appendix D: Suggested Preservation Plan Model

\* Available online in PDF Fillable Form format at  
[www.ohp.parks.ca.gov/?page\\_id=24493](http://www.ohp.parks.ca.gov/?page_id=24493)

# Appendix A: Application Materials

## Certification Application Checklist

A complete certification application must include the following:

- \_\_\_\_\_ Transmittal letter signed by the Chief Elected Local Official forwarding all required documents.
- \_\_\_\_\_ Resolution adopted by the elected officials authorizing application for Certified Local Government status and specifying the name and title of the person authorized to sign program documents and agreements.
- \_\_\_\_\_ Completed certification application form and application attachments (see pages 17-19).
- \_\_\_\_\_ Resumes and commissioner qualifications forms for each of the members of the local historic preservation commission/board.
- \_\_\_\_\_ Names, telephone numbers, resumes, and professional qualifications forms for staff members responsible for administration of the historic preservation program for the local government.
- \_\_\_\_\_ Organization charts for local government and for department that administers historic preservation program.
- \_\_\_\_\_ If in process or completed, copies of cultural resources survey(s) performed in the community, with information on the progress and future intended uses of the survey.
- \_\_\_\_\_ Copy of the local historic preservation legislation.
- \_\_\_\_\_ Copy of the local historic preservation plan or historic preservation element of the General Plan.

NOTE: Please read the Application Procedures carefully before completing the application. Applicants must submit one (1) original, signed application with complete attachments to:

Local Government Unit  
Office of Historic Preservation  
1725 23<sup>rd</sup> Street  
Sacramento, CA 94816-7100  
Phone (916) 445-7000 Fax (916) 445-7053

## Application for Certified Local Government Certification

**Applicant (attach general organization chart)**

Local Government	
Address	

**Chief Elected Local Official**

Name	
Title	

**Legislative Representatives (list names and district numbers)**

California Assembly	
California Senate	
U.S. Congress	

**Local Government Contact Person (enclose résumé, professional qualifications, and departmental organization chart)**

Name			
Title			
Department			
Address			
Telephone Number		Fax Number	
Email Address			

**Resolution of Local Government (attach)**

Date Approved	
Authorized Signature	

**Local Commission/Board (Attach a current résumé and commissioner qualification form for each commission member.)**

Name of Commission/Board	
Names and Professions of Members	

**Local Historic Preservation Ordinance or appropriate section(s) of municipal code (attach)**

Name of Document	
Date of Enactment	

**Local Historic Preservation Plan or Historic Preservation Element of General Plan (attach)**

Name of Document	
Date of Enactment	
Plans to prepare a Plan or Element if one has not been adopted	

**Local Government Assurance**

I assure the State of California, Office of Historic Preservation, that this government shall comply with and fulfill all the requirements of the Certified Local Government program.

\_\_\_\_\_  
Signature of Chief Elected Local Official

\_\_\_\_\_  
Printed Name of Chief Elected Local Official

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## **CLG Certification Application Attachments**

- Provide a narrative summary describing historic contexts developed and past and current historic resource survey activities, including type of survey (reconnaissance or intensive) and percentage of coverage of local jurisdiction. Additionally, provide information regarding future survey plans and how they will conform to the state and federal standards for surveys.
- Provide a narrative summary of current historic preservation program activities performed by the local government. For example, local designation programs, educational/outreach programs, design review, etc.
- Provide a narrative summary explaining any new or additional historic preservation program activities that will be carried out as a result of becoming a CLG.
- Provide a narrative summary which explains the current functions, responsibilities, and authority of the local review commission/board.
- Provide a narrative summary describing economic incentive or other benefits offered by the local government to owners of historic properties.
- Provide a narrative summary describing how review of projects affecting historical resources in the local government jurisdiction is carried out under the California Environmental Quality Act and Section 106 of the National Historic Preservation Act.

## Statement of Commissioner Qualifications

Local Government \_\_\_\_\_

Name of Commissioner \_\_\_\_\_

Date of Appointment \_\_\_\_\_ Date Term Expires \_\_\_\_\_

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation

Are you a professional in one of the disciplines associated with historic preservation listed above?

Yes

No

Summarize your qualifying education, professional experience, and any appropriate licenses or certificates. Attach a resume.

## Appendix B: Sample Resolution

A resolution passed by the city council or board of supervisors must accompany the application. Below is a sample resolution which can be adapted to meet local needs.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL/BOARD OF SUPERVISORS

CITY/COUNTY OF \_\_\_\_\_

APPROVING THE APPLICATION AND CERTIFICATION AGREEMENT FOR THE  
CERTIFIED LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAM

WHEREAS, the United States Congress under the National Historic Preservation Act of 1966, amended (16 U.S.C. 470), has authorized the establishment of a Certified Local Government program; and

WHEREAS, the State of California, represented by the State Historic Preservation Officer, is responsible for the administration of the program within the state and the establishment of necessary rules and procedures governing the application by local agencies under the program; and

WHEREAS, said adopted procedures established by the State of California require the applicant to certify by resolution of the local government's elected officials the approval of an application prior to submission of said application. to the state;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL/BOARD OF SUPERVISORS hereby:

1. Approves the filing of an application for certification under the Certified Local Government Program; and
2. Appoints the \_\_\_\_\_ (position/title) or authorized deputy as agent of the city to coordinate, process, and execute all contracts, agreements, amendments, and ancillary documents within the scope of the attached application for certification.

---

Mayor/ Board of Supervisors Chair

Attest: Other signatures as appropriate

## **Appendix C: Suggested Preservation Plan/Historic Preservation Element of the General Plan Components**

The following is a list of ten essential components that should be considered or addressed in every formal preservation plan or historic preservation element of the General Plan:

1. Statement of historic and/or archaeological preservation goals in the community, and the purpose of the preservation plan.
2. Definition of the historic and/or archaeological character of the community. Are there one or more historic contexts which are important in the development of your community?
3. Summary of past and current efforts to preserve the community's character.
4. A survey of historic and archaeological resources in the community, or a definition of the type of survey that should be conducted in communities that have not yet completed a survey.
5. Explanation of the legal basis for protection of historic and archaeological resources in the community.
6. Statement of the relationship between historic and archaeological resources preservation and other local land-use and growth management authorities, such as the zoning ordinance.
7. Statement of the public sector's responsibilities towards city- or county-owned historic and archaeological resources, and for ensuring that public actions do not adversely affect those resources.
8. Statement of incentives that are, or should be, available to assist in the preservation of the community's historic and archaeological resources.
9. Statement of the relationship between historic preservation and the community's educational system and program.
10. A precise statement of goals and policies, including a specific agenda for future action to accomplish those goals.

The above elements are based upon a publication, *Preparing a Historic Preservation Plan* by Bradford J. White and Richard J. Roddewig. A copy may be obtained from APA Planners Bookstore at [www.planning.org/apastore/Search/Default.aspx?p=2378](http://www.planning.org/apastore/Search/Default.aspx?p=2378) .

## Appendix D: Sample Certification Agreement

The local government and State of California must execute a Certification Agreement that identifies the specific responsibilities of the local government. This document will be prepared by the OHP and presented to the local government for concurrent signatures

### Sample Certification Agreement

Pursuant to the provisions of the National Historic Preservation Act, as amended, to applicable federal regulations (36 CFR Part 61), and to the State of California's Certified Local Government Program Application and Procedures (Application and Procedures), the City [or County] of \_\_\_\_\_ agrees to:

1. Enforce appropriate legislation for the designation and protection of historic properties; maintain an adequate and qualified historic preservation review commission composed of professional and lay members; maintain a system for the survey and inventory of historic properties; and provide for adequate public participation in the historic preservation program including the process of recommending properties to the National Register of Historic Places, pursuant to the Application and Procedures.
2. Enforce its historic preservation ordinance and CEQA procedures as it relates to the consideration of historical resources. The Participant shall consult with the SHPO for any amendments or revisions to said ordinance prior to making such changes.
3. Submit to the SHPO an annual report, pursuant to 36 CFR 61.5(e)(5), consistent with the report guidelines published by the SHPO.
4. Adhere to requirements outlined in the State of California Certified Local Government Application and Procedures.

The State Historic Preservation Officer (SHPO) shall:

1. Inform the Participant of the annual availability of National Historic Preservation Fund grants, for which the Participant is eligible as a Certified Local Government, to compete.
2. Provide information, technical assistance, and opportunities for training to the CLG.
3. Review and provide comments on proposed ordinance changes.

Upon its designation as a CLG, [enter local government name] shall be eligible for all rights and privileges of a Certified Local Government specified in the National Historic Preservation Act and procedures of the State of California, including eligibility to apply for available CLG grant funds in competition with other CLGs.

## **DRAFT Notice to Properties on National Registry**

To Whom It May Concern,

My name is Walter Deissler and I am the Chair of the City of Visalia Historic Preservation Advisory Committee (HPAC). The HPAC is a committee of seven volunteers appointed by the Visalia City Council to recognize and protect historic neighborhoods and buildings which contribute to Visalia's historic heritage. This letter is being sent to you because you are the owner of a structure listed on the National Register of Historic Places.

Did you know that there are 752 properties in the City of Visalia that are located within the Historic District, and 386 of those are listed on the Local Register of Historic Properties? Of all those properties, only four are recognized on the National Register of Historic Properties. Congratulations! Your property is one of those 4! You're receiving this notice as recognition of your property's special importance and significance in Visalia.

Properties like yours with impressive heritage have historical, cultural, architectural, archaeological, and/or aesthetic significance. They typically adhere to high standards of quality and are a source of pride for the community at large. In order to assist with the continued care of your historic resource, the city has included with this letter information and technical assistance to help ensure that Visalia's history is preserved and your property values are enhanced. This includes **[SITE SPECIFIC RESOURCES TO INCLUDE]**.

Properties such as yours are a link with the past and a key to understanding our heritage. We hope the information provided assists in preserving your historic resources for years to come. Again, congratulations on your property's exceptional historic significance!

Sincerely,

Walter Deissler, Chairperson  
City of Visalia  
Historic Preservation Advisory Committee