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MEMORANDUM

Historic Resources Commission Meeting of March 9, 2017

TO: Historic Resource Commission Item F-4

FROM: Hope Sullivan, AICP
Planning Manager

DATE: March 2, 2017

SUBJECT: For Possible Action: Discussion regarding clarifying the 2005 Design Guidelines to identify inappropriate fence materials.

Recommended HRC motion: "I move to recommend to the Planning Commission and the Board of Supervisors an amendment to Section 5.24.2 of Division 5 (Historic District) to Title 18 Appendix – Carson City Development Standards to add the following language in order to identify appropriate and inappropriate fencing materials and to require additional information from an applicant seeking to utilize fencing material that is not identified as appropriate. The language being proposed is _____."

Background:

At its meeting of June 16, 2016, the Board of Supervisors considered an appeal of the Historic Resource Commission's (HRC) denial of a vinyl fence in the Historic District. In upholding the decision of the HRC, the Board suggested the HRC review the Design Guidelines to determine if there is an opportunity to clarify the guidelines to identify discouraged materials.

The HRC began discussion of this item at its meeting of July 14, 2016, and continued it at its meetings of August 11, 2016, September 8, 2016, and November 10, 2016. At the August meeting, Commissioner Smit suggested incorporating findings into the review, similar to what is done by the Planning Commission when considering a Special Use Permit. At the September 8 meeting, the Chair suggested that the proposed language focus on fencing.

Staff provided proposed wording to the Commission at its November 10, 2016 meeting. During that meeting, the Commission advised of the following.

- Wood and metal are appropriate fencing materials in the District.
- Vinyl should be considered an "inappropriate" fencing materials rather than "discouraged."
- In addition to the findings suggested by staff, the applicant for fencing that does not utilize wood or metal should address how the proposed material is consistent with the character of the District.
- Staff should review the Secretary of the Interior's Standards for additional guidance.

Process:

The addition of language to the Development Standards is considered a Zoning Code Amendment. Section 18.02.075 outlines the process for amending the Zoning Code. The amendment is first considered by the Planning Commission, who will conduct a public hearing on the proposed amendment. If the Planning Commission can make the following required findings in the affirmative, it will recommend approval of the amendment to the Board of Supervisors.

- (1) That the proposed amendment is in substantial compliance with and supports the goals and policies of the Master Plan,
- (2) That the proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity,
- (3) That the proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

The Board of Supervisors will consider the amendment upon receiving a recommendation from the Planning Commission. The Board of Supervisors is authorized to amend the Zoning Code, and does so through the adoption of an Ordinance.

Proposed Language

The below language reflects the direction provided at the November 10, 2016 meeting. Language proposed to be added appears in bold and underlined.

5.24 - Guidelines for fences.

Fences serve a variety of purposes for a property owner. They can define property lines, provide security and protection from trespass, furnish safety for children and pets, provide visual screens for privacy and serve as protection from the elements. The design of a fence is a critical element in the overall visual quality of a property and how it relates to its neighbors. It can also be important from a public safety standpoint, particularly on corner lots. Typically front yards in the district were delineated by low profile, wood picket style fences. A few metal and/or masonry fences can be found as well.

A fence design needs to be considered in context. Scale, rhythm, material and style are the critical design elements of a fence. The fence design needs to be compatible to the building as well as to the surrounding property. A fence can provide a delicate design element which will greatly enhance a property.

- 5.24.1 Guidelines for Historic Fences. Original fences shall be retained and repaired when at all possible. When reconstruction must occur the original shall be matched in color, material, size, scale, texture and composition. New fences for historic houses should emulate historic styles and designs found in the district. (Standard Number: 2, 4, 5, 6)

- 5.24.2 Guidelines for New Fences. The appropriate design for a fence will be determined by its intended function and its location. No fence shall be constructed which adversely effects the primary view(s) of any building. A fence design should enhance the overall visual presentation of a building. A fence should also contribute to the character and defining features of any building in a positive manner.
(Standard Number: 9)

The appropriate construction material for a fence is wood or metal. Under certain circumstances as determined by the HRC and in accordance with the provisions set forth in this section, materials commonly used in masonry construction may also be appropriate. Vinyl as construction material for a fence is generally inappropriate. If construction material other than wood or metal is proposed to be used for the construction of a fence pursuant to the provisions of this section, the applicant proposing the use of such material must include as information in his or her application to the HRC an explanation describing how the material proposed to be used:

- 1. Is consistent with the historical features of the property site.**
- 2. Is consistent with the historical characteristics of the historic district.**
- 3. Is compatible with existing material already used on the property site.**
- 4. Will or will not be more compatible than wood or metal with the existing material already used on the property site.**

At the November meeting, the Chairman offered to assist the staff is preparing the supplemental language. As such, staff provided the Chairman with the above language reflecting the direction provided by the Commission. The Chairman prepared further modified language in an effort to better address the linkages between fencing and the Secretary of the Interior's Standards, as well as to better address the linkage between fencing material and massing, size, and scale.

Language prepared by the Chairman is as follows. Proposed language is underlined and bold. Language proposed to be deleted has a strike through.

5.24 Guidelines for Fences

Fences serve a variety of purposes for a property owner. They can define property lines, provide security and protection from trespass, furnish safety for children and pets, provide visual screens for privacy and serve as protection from the elements. The design of a fence is a critical element in the overall visual quality of a property and how it relates to its neighbors. It can also be important from a public safety standpoint, particularly on corner lots. Typically, front yards in the district were delineated by low profile, wood picket style fences. ~~A few~~ **Various types of** metal and/or masonry fences can be found as well.

A fence design needs to be considered in context. **Massing**, scale, ~~rhythm~~, style and material ~~and style~~ are the critical design elements of a fence. The fence design needs to be compatible to the building as well as to the surrounding property. A fence can provide a delicate design element which will greatly enhance a property.

5.24.1 Guidelines for Historic Fences

Original fences shall be retained and repaired when at all possible. When reconstruction must occur the original shall be matched in color, material, size, scale, texture and composition. The Secretary of the Interior and Carson City Historic District Guidelines provide standards and guidelines for rehabilitation.

(Standard Number 2). The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

(Standard Number 4). Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(Standard Number 5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

(Standard Number 6). Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

New fences for historic houses should emulate or be compatible with historic styles and designs found in the district.

5.24.2 Guidelines for New Fences

The appropriate design for a fence will be determined by its intended function and its location. No fence shall be constructed which adversely effects the primary view(s) of any building. A fence design should enhance the overall visual presentation of a building. A fence should also contribute to the character and defining features of any building in a positive manner. Standard Number 9 of the The Secretary of the Interior's Rehabilitation Standards and Guidelines states:

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Traditional historic fencing within the district included wooden pickets, wrought iron, decorative woven wire, and in some cases masonry. Solid 6 foot fences with abutting vertical boards are permissible on side and rear elevations not visible from public right-of-way Vinyl fencing is inappropriate within the Carson City Historic District. When a non-traditional design, or a material other than wood or metal is proposed, the applicant shall include the following information in the HRC application.

- a. Describe how the proposed material is compatible with massing, size, scale and architectural materials utilized on the site.
- b. Describe how the proposed material will be more compatible with the site than the utilization of traditional fencing.
- c. Describe how the proposed material is consistent with the historical features of the site.
- d. Describe how the proposed material is consistent with the massing, size, scale and architectural materials within the Historic District.

Staff Recommendation:

Staff is supportive of the wording prepared by the Chairman. Staff's only concerns are as follows.

1. In practice, will the Historic Resource Commission be able to distinguish between the massing, size, and scale based on materials? For example, a vinyl picket fence arguably has the same massing, size, and scale as a wooden picket fence. Staff would encourage the Commission to discuss the relationship between materials and massing, size, and scale to verify that it can articulate the relationship between these features.
2. Section 5.13 of the Development Standards (attached) states the Secretary of the Interior Standards for Rehabilitation. Given the Standards are already articulated in Division 5, staff questions the necessity of repeating the language.

Staff would recommend that the HRC finalize the proposed wording, and make a recommendation to the Planning Commission and the Board of Supervisors.

5.13 Secretary of the Interior Standards for Rehabilitation

Rehabilitation is defined as the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values.

The Standards for Rehabilitation are as follows:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.