

§ 152.026 HISTORIC OVERLAY DISTRICT.

(A) *Purpose.* The purpose of this section is to safeguard the heritage of the city by preserving a district in the city which reflects elements of its cultural, social, economic, political, or architectural history; to stabilize and improve property values in such district; to foster civic beauty; to strengthen the local economy; and to promote the use of historic districts for the education, pleasure, and welfare of the citizens of the city.

(B) *Overlay District.* This Historic Overlay District shall be a superimposed district over the Zoning Map established by this chapter. The regulations of this Overlay District are in addition to any regulations in the underlying zoning districts. The regulations of this District supersede all conflicting regulations of the underlying zoning districts to the extent of such conflict and no further. The Historic Overlay map on the subsequent page shall establish the Overlay District.

(C) *Uses permitted.* Any land use permitted by right in the underlying zoning district shall be permitted in this Overlay District subject to the requirements of this Overlay District. Any land use permitted by special use permit in the underlying land use district shall be permitted in this Overlay District, subject to the standards, conditions, and approvals required for a special use permit in addition to the requirements of this Overlay District.

(D) *Use regulations.*

(1) Because of the unique historic character of the central business area of the city no development, preservation, and beautification will be permitted without a site plan approval by the Planning Commission.

(2) In addition to the requirements for preparation of a site plan, pursuant to division (E) of this section, the site plan shall also include:

(a) A rendering of exterior architectural features, along with a notation of materials and colors proposed to be used;

(b) A rendering of proposed signs, lamp posts, structures on sidewalks; and

(c) A rendering of the building, in relationship to the surrounding area, such as but not limited to adjacent buildings.

(3) At least two copies of the renderings shall remain as file copies with the site plan.

(E) *Historic standards.* In addition to the standards for site plan review, pursuant to division (F) of this section, standards shall also include the following consideration. In reviewing plans, the Planning Commission shall give consideration to:

(1) The historic or architectural value and significance and its relationship to the historical value of the surrounding area, using design guidelines which address exterior features of the building;

(2) The relationship of the exterior architectural features of the structure, including but not limited to signs, lamp posts, structures on sidewalks, to the rest of the structure and to the surrounding area; and

(3) The general compatibility of exterior design, arrangement, texture, and materials proposed to be used.

(a) The Planning Commission shall pass only on exterior features of a structure and shall not consider interior arrangements.

(b) In case an application for repair or alteration affecting the exterior appearance of a structure or for the moving or demolition of a structure which the Planning Commission deems so valuable that the loss thereof will adversely affect the overall character of the historic area, the Planning Commission shall endeavor to work out with the owner an economically feasible plan for preservation of the structure.

(c) An application for repair or alteration affecting the exterior appearance of an historic structure, or for its moving or demolition, shall be approved by the Planning Commission if any of the following conditions

prevail, and if in the opinion of the Planning Commission, the proposed changes will materially improve or correct these conditions.

1. The structure constitutes a hazard to the safety of the public or its occupants.
2. The structure is a detriment to a major improvement program which will be of substantial benefit to the community.
3. Retention of the structure would cause undue financial hardship to the owner.
4. Retention of the structure would not be in the best interest of the majority of the community.

(F) *Review procedure.*

(1) *Review procedure.* Review of a site plan shall be as provided for in § 152.106.

(2) *Site plan.* When reviewing a site plan, the site plan shall be approved if there is substantial compliance with the guidelines as set forth in this chapter. All decisions of the Planning Commission related to the historic preservation aspect of site plan reviews shall be appealed to the Zoning Board of Appeals, if the disagreement with a review decision is based on substantial evidence.

(Ord., § 308, passed 6-11-2002)