

## ***14-906 /CD, CONSERVATION OVERLAY DISTRICT***

### **14-906-07 Nomination for designation of conservation districts**

Property owners within a proposed district may request initiation by the Heritage Commission or City Council for consideration of a historic or conservation district nomination. Nomination of a potential historic or conservation district may also be initiated by the Heritage Commission or the City Council.

Nominations for designation of historic or conservation districts shall be made to the Heritage Commission and may be submitted by a member of the Heritage Commission, owner of record of the nominated property, or the City Council, or any other person or organization with the consent of the owners of at least 51 percent of the affected parcels in the proposed district, exclusive of all publicly owned property, streets and alleys. Rescission of any signature on the petition to designate a property within a district must be submitted in writing to the Historic Preservation Division in the Community Development Department no later than 15 days prior to the public meeting of the Heritage Commission. Any request for rescission after that date will be considered invalid and the signature of consent will remain.

Once a district is nominated for designation, at least two public meetings shall be held for information gathering and discussion. Upon determination to proceed with the district nomination, a designation report shall be prepared and submitted for review during a public hearing by the Heritage Commission. All ~~effected~~ **affected** property owners within a proposed historic or conservation districts shall be initially notified of this meeting for consideration of the potential designation via ~~certified~~ **regular** mail. All further notification of public hearings shall be posted at City Hall.

~~The Historic Preservation Manager shall be available to assist with preparing any designation report.~~

### **14-906-08 Procedure**

Upon receipt of an application for /CD zoning or upon initiation of a /CD zoning application by the City Council or Heritage Commission, the following procedures apply:

**14-906-08-A.** Unless otherwise expressly stated, the rezoning procedures of Article ~~14-701~~ **14-700** apply.

**14-906-08-B.** A recommendation must be made by the Heritage Commission to the ~~Planning Commission~~ **City Council** concerning all /CD zoning applications.

**14-906-08-C.** Public hearings on /CD zoning applications must be held by the ~~Planning Commission~~ and City Council.

**14-906-08-D.** ~~Following its hearing, the Planning~~ **The Heritage** Commission must adopt, by resolution, a recommendation that /CD district zoning be approved or denied. The ~~Planning~~ **Heritage** Commission's recommendation must be in the form of a resolution and be submitted to the City Council. The resolution must be accompanied by a staff report ~~containing the following information:~~ **and all other related supporting documentation.**

1. An explanation of the how the area meets the selection criteria contained in Section 14-906-02;

- 
2. ~~In the case of an area found to meet the criteria in Section 14-906-02, a description of the general pattern of development, including streets, lots and buildings in the area; district specific development and design standards to guide redevelopment and development within the district;~~
  3. A map showing the recommended boundaries of the /CD district;
  4. ~~A record of the proceedings before the Planning Commission; and~~
  5. ~~An explanation of the planning and zoning implications related to the designation of the proposed area and district specific development and design standards;~~

**14-906-08-E.** Following the public hearings by the **Planning Heritage** Commission, the ~~City Council must hold a public hearing and act to approve or deny the application for /CD district zoning.~~ The City Council shall hold a new evidence only public hearing as provided in Section ~~14-701~~ **14-700** of the City Code.

### **14-906-09 Interim control**

No building permit shall be issued by the Building Department for alteration, construction, demolition or removal of a nominated landmark or of any property or structure within a nominated Historic District or Conservation District from the date of the meeting of the Heritage Commission at which a nomination form is first presented until the final disposition of the nomination through a negative recommendation by the Heritage Commission ~~or the Planning Commission~~ or by the vote of the City Council. During this period the City Council may authorize such alteration, construction, demolition, or removal when it adopts a formal resolution declaring that the proposed work is necessary for public health, welfare, or safety. During this period the applicant for the permit shall have the opportunity to explain to the City Council the reasons why the permit should be issued promptly. In no event shall the delay be for more than 180 days.