

14-907 /HD, HISTORIC OVERLAY DISTRICT

14-907-04 Development/design standards

In establishing an /HD district, the Heritage Commission ~~and Planning Commission~~ **is** authorized to propose and the City Council is authorized to adopt, district-specific development and design standards to guide development and redevelopment within the subject /HD district. When development and design standards have been approved, each application for new construction or alteration of an existing building within the designated /HD must comply with those standards. When there are conflicts between the standards of the underlying base zoning district and adopted /HD district design/development standards, the /HD design/development standards will govern.

14-907-05 Nomination for designation of historic districts

Nominations for designation of historic 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 by the City staff 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 affected property owners within proposed historic districts shall be initially notified by City staff of this meeting for consideration of the potential designation via ~~certified~~ **regular** mail. The mailed notice shall include the date, time and place of the Heritage Commission meeting and a general description of the request. 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.~~

14-907-07 Report and recommendation of Heritage Commission

14-907-07-A. Generally. The Heritage Commission shall, within 60 days from the receipt of a completed nomination in proper form as determined by the Historic Preservation Manager, hold a public hearing on the proposal. Public notice of the hearing shall be given, including posting on the property or within the proposed district. Written notice shall be given to the owners of property under consideration for designation, as outlined below. Written notice under this article shall be considered sufficient when it is mailed to the owner of record. The Heritage Commission shall adopt, by resolution, a recommendation that the nominated district does or does not meet the criteria for designation. The resolution shall be

accompanied by supporting documentation, including, but not limited ~~to,~~ to a staff report and designation report.

If the recommendation for historic designation is approved, it shall be an amendment to the zoning district map which creates a designation using the boundaries as proposed in the staff report. The designation shall be /HD for Historic Districts.

~~14-907-09 Action by Planning Commission~~

~~Upon recommendation of the Heritage Commission, the Planning Commission shall hold a public hearing in accordance with the rezoning procedures of Section 14-701. The Planning Commission shall adopt by resolution a recommendation to the City Council. In its resolution the Planning Commission shall approve or deny the recommendation of the Heritage Commission.~~

~~If the Planning Commission approves the recommendation for historic designation, it shall be an amendment to the zoning district map which creates a designation using the boundaries proposed by the Heritage Commission. The designation shall be /HD for Historic Districts. When the Planning Commission acts favorably on a proposed designation it shall forward the proposed designation and the Heritage Commission's reported recommendation for historic designation to the City Council at the same time for consideration.~~

~~If the Planning Commission denies the recommendation of the Heritage Commission, the Planning Commission shall state all reasons for denial and these shall be forwarded along with all supporting documentation and the Heritage Commission's recommendation to the City Council for its consideration.~~

14-907-10 Action by City Council

The City Council shall act after receiving the recommendation of ~~the Planning Commission and~~ the Heritage Commission that the nominated Historic District be designated and that the zoning district map be amended. The City Council shall hold a new evidence only public hearing as provided in Section ~~14-701~~ **14-700** of the City Code. The Designation Ordinance shall include a legal description of the boundaries of the proposed district, information on the significance of the property or properties, a statement of significance for the designation, and information about any specific features being protected. The establishment of the overlay district shall not affect other zoning rules and regulations for the property which remain in full force and effect. The Council may approve or disapprove the proposed ordinance and the amendment to the zoning district map.

~~If the report and recommendation from the Planning Commission is against a proposed designation, the City Council may accept either the Planning Commission's or the Heritage Commission's recommendation. The City Council shall hold a full public hearing before considering the proposed designation ordinance. The Council may approve or disapprove the proposed ordinance and amendment to the zoning district map.~~

After the decision of the Council, the City Clerk shall provide written notification of the action of the City Council to the nominator and the owner(s) of record of the nominated property. The notice shall include a copy of the designation ordinance and the zoning map amendment passed by the City Council and shall be sent within 15 calendar days of the City Council action. ~~A copy of each designation ordinance and zoning map amendment shall be sent to the Heritage Commission, the Planning Commission and other interested City departments.~~ In the case of a denial by the City Council, a nomination for designation may not be resubmitted for one calendar year **from the date of denial.**

