

Sec. 17-674. - Review process.

- (a) *Notice of public hearing.* The DDRC shall cause public notice to be given on all actions listed in [section 17-655\(a\)\(2\)b](#).
- (b) *Materials to be submitted for review.* Where the DDRC deems it necessary, in order to pass upon a particular proposal in a DP district, it may require submission of any or all of the following, among other necessary items, as part of the application for review: architectural plans, plot plans, landscaping plans, plans for off-street parking, proposed signs, and elevations of proposed structures. Additionally, in any historic commercial districts or for any proposals of multi-family structures, landscaping plans and elevation photographs or drawings showing proposed structures and all such existing structures as are within 500 feet of the proposed structure and are substantially related to it visually or by reason of function, traffic generation or other characteristics, may be required.
- (c) *Matters to be considered by commission.* In its review of material submitted with applications for approval, the commission shall examine the architectural design, the exterior surface treatment, the arrangement and location of buildings and structures on the site in question and their relation to other buildings and structures within the district involved, and other pertinent factors affecting the appearance and efficient functioning of the district. In the DP districts, the commission shall not approve any proposed building or structure separately or in relation to its premises as proposed to be arranged, landscaped or constructed which would adversely affect the primary character of the district involved or the setting of public or quasi-public historical buildings or landmarks on which public or private monies have been or are proposed to be spent. The commission shall endeavor to ensure that the exterior appearance and arrangement of buildings, structures and premises in these districts will:
 - (1) Enhance the attractiveness and functioning of each district in keeping with its purpose and intent;
 - (2) Encourage the orderly and harmonious development of each district; and
 - (3) Enhance and protect the public and private investment and general value of lands and improvements within the district.
- (d) *Criteria for review of design of structures and sites.* Issuance of a certificate of design approval shall be based upon the requirements set forth in the standards or design guidelines adopted by the city council for each historic district. For individual landmarks, the Governor's Mansion Protection Area, Elmwood Park Architectural Conservation District, and the Landmark District, the Secretary of the Interior's Standards for Preservation as amended and listed below shall serve as guidelines until such time as design guidelines may be written and adopted by city council for each local historic district. The Standards are to be applied to specific rehabilitation projects, taking into account the designation level of each district.
 - (1)
 - a. For landmark districts, 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.
 - b. In architectural conservation districts and protection areas, the historic character of a district shall be retained and preserved through the preservation of historic materials and features which characterize the historic district.
 - c. For individual landmarks and the landmark district, each property shall 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 architectural elements from other buildings, shall not be undertaken.
 - (4) Most properties change over time; those changes that have acquired historic significance in

- their own right shall be retained and preserved.
- (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - (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.
 - (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - (8) 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.
 - (9) New additions and adjacent or related new construction shall 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.

For new construction, the Standards shall be used in conjunction with the following review items used for new construction in historic districts with established guidelines:

- (1) *Height*: Construct new buildings to a height that is compatible with the height of surrounding historic buildings.
 - (2) *Size and scale*: The size and scale of a new building shall be visually compatible with surrounding buildings.
 - (3) *Massing*: Arrange the mass of a new building (the relationship of solid components (ex. walls, columns, etc.) to open spaces (ex. windows, doors arches)) so that it is compatible with existing historic buildings on the block or street.
 - (4) *Directional expression*: Site the entrance of the building so that it is compatible with surrounding buildings.
 - (5) *Setback*: Locate the new building on the site so that the distance of the structure from the right-of-way is similar to adjacent structures.
 - (6) *Sense of entry*: Place the main entrance and the associated architectural elements (porches, steps, etc.) so that they are compatible to surrounding structures. The main entrance shall be constructed with covered porches, porticos, or other architectural forms that are found on historic structures on the block or street.
 - (7) *Rhythm of openings*: Construct new buildings so that the relationship of width to height of windows and doors, and the rhythm of solids to voids is visually compatible with historic buildings on the block or street. Maintain a similar ratio of height to width in the bays of the façade.
 - (8) *Roof shape*: Use roof shapes, pitches, and materials that are visually compatible with those of surrounding buildings.
 - (9) *Materials, textures, details*: Use materials, textures, and architectural features that are visually compatible with those of historic buildings on the block or street.
- (e) *Criteria for review of requests for demolition permits*. The following criteria shall be used as a guideline by the DDRC for review of all requests for demolition permits. The commission may require the applicant to provide certain information dealing with the criteria. The type of information which may be required is detailed in the commission's rules and regulations; however, only that information which is reasonably available to owners may be required.
- (1) The historic or architectural significance of a building, structure or object;

- (2) A determination of whether the subject property is capable of earning a reasonable economic return on its value without the demolition, with consideration being given to economic impact to the property owner of the subject property;
 - (3) The importance of the building, structure or object to the ambience of a district;
 - (4) Whether the building, structure or object is one of the last remaining examples of its kind in the neighborhood, the city or the region;
 - (5) Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be;
 - (6) The existing structural condition, history of maintenance and use of the property, whether it endangers public safety, and whether the city is requiring its demolition;
 - (7) Whether the building or structure is able to be relocated, and whether a site for relocation is available; and
 - (8) Whether the building or structure is under orders from the city to be demolished, and this criterion shall be given more significance than the criteria mentioned in subsections (1) through (7) of this subsection.
- (f) *Criteria for review of driveways and vehicular parking areas.* The DDRC, in their review of all construction or alteration of driveways or other vehicular parking areas in residentially zoned DP districts located in the front or secondary front yard, shall use criteria which includes, but is not limited to the following:
- (1) Unless a showing of extraordinary and exceptional conditions pertaining to the piece of property can be shown, the amount of allowable area paved for the use of a driveway or a vehicular parking area shall be limited to a width of (12) feet measured with a straight line that runs parallel to the front or secondary front lot line.
 - (2) The designated vehicular parking area or driveway shall be placed so as to minimize its visual impact on the primary structure.
 - (3) Driveways and vehicular parking areas shall be compatible with the existing building and the site and setting of the historic district, taking into account the level of designation. Appropriate materials are:
 - a. *Protection area:* Brick pavers, cobblestones, concrete pavers, granite, concrete, asphalt, sand, gravel, or crushed stone.
 - b. *Architectural conservation district:* Brick pavers, cobblestones, granite and concrete.
 - c. *Landmark district and individual landmarks:* Brick pavers, cobblestones, granite and concrete are appropriate. For individual landmarks, other materials may be approved by the commission after a finding of fact that the materials in question are historically correct for the subject property.

(Code 1979, § 6-8015; Ord. No. 93-85, 10-6-93; Ord. No. 98-079, 11-18-98; Ord. No. 2003-022, 4-2-03; Ord. No. 2011-010, 5-24-11)