

Proposed revisions to UDC requirements related to HARC and Historic Structures and Districts

Chapter		Section	General Topic	Current Requirements	Staff Notes/Recommended Amendments
Chapter 2	Review Authority	2.01.020	Review Authority		Allow staff review for signs and small projects
					Include a chart identifying Review Authority (Powers and Duties) of HPO, HARC and Subcommittees
					Demolition Subcommittee - Appointed by HARC; Must include Building Official, HARC member, and a Structural Engineer, Historic Preservationist or Architect
		2.02	Administrative Officials	Planning Director acts as the Historic Preservation Officer	Include the HPO as an administrative official (Designation, Powers and Duties, etc.)
					Clarify that the Planning Director is the HPO or may be designated by the Planning Director
2.03.010.A.3	Heritage Tree Protection	HARC is final authority to allow site alterations to accommodate Heritage Trees	Transfer to Planning Director (consistent with site plan review)		
Chapter 3	Applications and Permits	3.01.020	Applicability of Procedures		Include a Historic Landmark designation process (similar to Historic District designation)
					Change Certificate of Design Compliance (CDC) term to Certificate of Appropriateness (consistency with state and national standards)
		3.03.010.D	Posted Notice	All CDCs (to include Administrative CDCs) require public notification	Remove posted notice (and public hearing requirements) for Administrative CDCs - Only require public notification for CDCs reviewed by HARC
		3.03.020	Required Public Hearing	HARC CDCs and Historic District designations require public hearing	Require public hearing for Historic Landmark designations (similar to Historic District designations)
		3.06.020	Review Process (Zoning Map Amendment)	May be initiated by applicant or recommendation from City Council, Planning and Zoning Commission or Director	Requires recommendation from Planning and Zoning Commission
3.13.010	Applicability				

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				<p>CDCs required only for reconstruction, alterations, changes, removal, relocation, demolition of an existing structure, new construction (structure) and signage - Remove any requirements for site alterations or site features</p> <p>Revise and move Database of Priority Structures (Subsection F) to new HPO subsection in Ch. 2</p> <p>Clarify Removal vs Relocation (term) of a structure - Provide consistency throughout document</p> <p>Exclude demolition of a structure that is not designated (or eligible to be designated) a Historic Landmark, or that is non-contributing to the Historic district</p>
		3.13.010.B	Any building or structure on the List of Priority Structures	<p>Move Section 3.13.010.D.1 (demolition) to Applicability subsection to clarify applicability of structures in Historic Districts</p> <p>Clarify "List of Priority Structures" - not be all-inclusive. Different types of review depending on the structure (contributing vs non-contributing structures)</p> <p>Define building and structures - Structures within a Historic District and individually identified as Historic Landmarks. Contributing vs Non-Contributing.</p> <p>Clearly identify structures that are exempt from CDC for Demolition requirement (i.e. non-contributing structures)</p> <p>Identify structures that require review by Demolition Subcommittee and approval by HARC vs approval by HPO</p>
		3.13.010.C	No building permit issued unless application reviewed by HARC	Clarify that there are permits eligible for administrative (staff) review - only applicable when scope of work requires approval by the HARC
		3.13.010.D	CDC for Demolition Applicability - Building or structure within any Historic Overlay District or on List of Priority Structures	<p>Demolition subsection - Remove from Applicability Section (create own (new) subsection); Restructure to be consistent with other processes identified in UDC (applicability, review process, criteria for approval, etc.)</p> <p>Item # B</p>

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				Does not supersede Dangerous Building Ordinance	Incorporate CLG delay period requirements (HARC consideration immediately following end of 60-day delay period)
				Delay Period varies per level of priority (denied CDCs)	Move and clarify applicability portion to the Applicability Section (see above)
				Demolition and permit delay period due to work completed with no CDC	Clarify relationship with Dangerous Building Ordinance - Remove CDC requirement if structure is a dangerous building and necessary for the preservation of public health, safety and welfare as determined by the Building Official
					Justification (criteria to initiate demolition request) - Loss of Significance or Unreasonable Economic Hardship
					Move delay period to beginning of subsection. Remove delay period requirement if CDC is denied.
					Clarify delay periods - purpose, longevity, actions that can (and should) occurred during delay period, outcome; consistency with CLG demolition delay period.
					Move Demolition by Neglect regulations to Demolition subsection (process)
					Notification Requirements - Include mail notices for demolition requests
		3.13.020	Review Process		Include review process for Administrative CDCs, and clarify review process for HARC approved CDCs, to include CDCs for Demolition (own subsections)
		3.13.020.B	Major Projects		Define major projects as those exceeding 50% of the value of the structure
					Clearly define what are considered minor and major projects - Include chart table
		3.13.020.D	Application for Demolition or Relocation	Justification Statement - one or more may be applicable	Relocate section to new demolition subsection
				Application requirements - Vary per justification; optional (TBD by Demolition Subcommittee)	Revise economically viable use to economically feasible to (renovate, relocate, etc.)

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Chapter		Section	General Topic	Current Requirements	Staff Notes/Recommended Amendments
					Revise application requirements to be consistent for all demolition requests Remove agreement requirements Clarify requirements for demolition vs relocation; Relocation within same, different and outside Historic District Clarify difference between Subsections 1 and 4 for Relocation Remove "Other Evidence Requested" (Subsection 5) Make subsections 3 and 6 part of applicability requirements Move Subsection 7 to Applicability Section Revise reference to subcommittee - Make Demolition Subcommittee a (review) recommending body. Subcommittee makes recommendation to HARC
		3.13.020.F.1	Administrative Review		Clarify - Signs, UDC required site and structural features, demo of non-historic structures, alternative parking plans Clearly identify scope of work that required Administrative CDCs
		3.13.020.F.2	Minor Projects Subcommittee		Paint, exterior projects not requiring a building permit
		3.13.020.G	Economic Review Panel	Review financial portions of applications of no economically viable use of the property	Look at other CDC applications that may require review of this subcommittee - Purpose of Subcommittee? Look at designating the subcommittee at the same time as other subcommittees (if needed) Streamline the process of the Economic Review Panel Remove if not needed
		3.13.040	Supplemental Criteria - Demolition or Relocation Approval	Consider 3 criteria related to uniqueness of structure, condition of structure, and Ch. 15 status; and make applicable findings (as determined by justification statement)	Clarify and revise approval criteria - Include supplemental criteria for Contributing Structures and Historic Landmarks Establish clear and consistent approval criteria/findings Item # B Approval criteria for demolition vs relocation

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	3.13.050	Criteria for Delayed Demolitions or Removal	Applicant must address criteria prior to going back to HARC for approval	Move to Delay period Section (or vice versa). Place all delay period requirements under one section
				Revise delay period requirements - Remove references to requirements that were needed to deem application complete; Make requirements consistent with purpose of delay period
				365-delay period due to demolition by neglect may defeat purpose as these buildings may have an adverse impact on the subject property and area. Also is in conflict with 90-day delay period to bring property into compliance.
				Delay period only applicable to historic properties (contributing structures in historic district or identified as individual landmarks)
	3.13.070	After approval of a Demolition or Relocation	Applicant must complete the following:	Make post-approval requirements part of the technical review of a request. Tasks may be accomplished as the case is under review.
	Clarify requirements vs recommendations			
	Some requirements may be conditional approval by HARC			
	3.13.070.A		For Demolition:	Clarify; provide clear guidelines of the salvage strategy plan.
	Permanent record of a significant structure prior to demolition	Salvage strategy only applicable to structures with national registration, contributing structures, and historic landmarks.		
	Removal of all salvageable building materials - Prepare a salvage strategy	Remove salvage strategy plan for buildings to be relocated - unless portion of building will be demolished		
	Clear structure quickly and thoroughly			
	Plant site and maintain until reused			
3.13.070.B		For Relocation (Removal):	Clarify what happens if assessment of structural condition determines that the structure cannot be moved - Make part of technical review	
Document site conditions prior to removal	Provide guidelines on how a building proposed to be relocated will be protected			
Prepare salvage strategy for reusable materials	Time limit for when building must be relocated			

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				Assess structural condition prior to moving structure Protect building from weather damage and vandalism	
		3.13.110	Appeals		Clarify -----
Chapter 4	Zoning Districts				Clarify that Ch. 4 is only related to the specific development standards that apply to a zoning district - processes and application requirements are outlined in Ch. 3 Remove all references to applications and processes
		4.08.010.C	Review Authority		Clarify administrative reviews allowed Remove from Ch. 4 and include in Ch. 2 (Review Authority)
			CDC Required		Exempt City projects in the ROW from HARC review, require site plan review based upon UDC and Design Guidelines Remove from Ch. 4 and include in Ch. 3 (Applications and Permits)
		4.08.010.F	Demolition by Neglect	No property owner shall permit the property to fall into a serious state of disrepair so as to result in deterioration	Move to new Demolition section in Ch. 3 (process)
		4.08.020	UDC/Guidelines Conflict		Clarify role of guidelines/UDC
		4.09.020.B	Applicability		Clarify Staff review in Ch. 3 - Remove review processes from Ch. 4
		4.09.020.D	Land Use	HARC shall not have the authority to approve the specific use of a site.	Clarify to "HARC shall not have the authority to approve <b>or disapprove</b> the specific use of a site."
		4.09.020.F		BO and HPO determine "serious state of disrepair"	Revise 90-day period to include CDC, building permit, and construction periods to bring property into compliance.
		4.09.040	Setback Modifications	ZBA grants setback modification, HARC approves construction	Combine review authority to make it easier for the applicant
		4.10.010E	Historic Overlay	Secretary of Interior standards	Change language to match Secretary of the Interior Standards for the Treatment of Historic Properties. Current language paraphrases and combines several in to one.

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		4.10.010.G		Property owner given 90 days to bring property into compliance. Failure to comply will result in enforcement proceedings under Ch. 15.40	Conflict with 365-day period to bring property into compliance (compliance may include demolition of structure) Remove requirement for CDC if enforcement is conducted under Ch. 15.40 of City Code Provide different CDC requirements if it is only to address code violations
Chapter 8	Tree Preservation, Landscaping and Fencing	8.02.050.B.1	Site alterations to protect Heritage Trees	HARC is final authority to allow site alterations to accommodate Heritage Trees	Transfer to Planning Director (consistent with site plan review)
Chapter 9	Off-Street Parking and Loading	9.02.060	Alternative Parking Plans in the Downtown Overlay District	HARC reviews Alternative Parking Plans in Downtown, while Director reviews throughout the city	Change approval to Planning Director
Chapter 16	Definitions	16.02	Definitions		Revise and clarify definition of Demolition Include definitions for Historic Landmark, and contributing and non-contributing structures

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