# **Chapter 31 Revisions**

Instructions to the reader:

The text entitled, "Note" with the "Arial" font in italics, and red type, is information for the reader, not current, or proposed ordinance text.

The "Times New Roman" font indicates the current text of Chapter 31.

The "Times New Roman" font with the strikethrough indicates current text to be removed.

Text in the "Arial" font, bolded and underlined is new text to be added to Chapter 31.

Note: The Chapter 31 Title is presently: "HISTORIC PRESERVATION DISTRICTS." Since Chapter 31 includes regulations for historic landmarks, as well as historic districts, a change to the title is proposed to remove the word "Districts." This would establish the new title of Chapter 31 as: "HISTORIC PRESERVATION."

Section 31.2. DEFINITIONS AND RULES OF CONSTRUCTION.

(1) Alteration: Any act or process that changes one or more of the exterior features of a structure, without increasing the amount of gross floor area.

Note: "Compatible Structures" will no longer be a classification used in Chapter 31, with the proposed changes.

- (7) Compatible Structures. Structures that have been too altered to be considered contributing yet are similar to the architectural styles of the district. Structures of a period other than the dominant period or periods represented in the district, but which complete the streetscape in a harmonious way through similarity of size, scale, color, material, and architectural character of the structure. A building of the dominant period or periods represented is considered a compatible structure. To be considered compatible structures must be at least fifty (50) years old.
- (22) New Construction: The erection of a new principal or accessory structure on a lot or property, or an addition to an existing structure **that increases the amount of the gross floor area.**

### Section 31.7. CRITERIA FOR CONSIDERATION FOR NOMINATION.

- (1) Before an area, which contains contiguous parcels of diverse ownership, can be designated as a historic district, as evidenced by information provided by the proponents of the district, it must satisfy the following criteria:
  - (g) A minimum of 66% of the principal structures in the proposed district are contributing and/or compatible structures from a historical architecture standpoint. Of the structures that are determined to be either contributing or compatible, a minimum of one (1) structure or 10% of those structures, whichever is greater, shall be contributing from a historical architecture standpoint; and

(h) The contributing and compatible structures in the proposed district must be a minimum of 50 years old.

# Section 31.8. PROCEDURES FOR DESIGNATION OF A HISTORIC DISTRICT OR LANDMARK

- (1) Designation of a historic district shall be proposed by an owner or owners of property within the area for which designation is requested. Any such proposal shall be filed with the Planning and Housing Department upon the prescribed from and shall include the following data:
  - (g) Provide information which indicates that 66% of the structures in the area are contributing and/or compatible.
  - (i) A list of the names and addresses of property owners within two-hundred (200') feet of the subject property.

Note: City staff now prepare the list of names and addresses.

- (2) Designation of a historic landmark shall be proposed by any person or organization. Any such proposal shall be filed with the Planning and Housing Department upon the prescribed form and shall include the following data;
  - (g) A list of the names and addresses of property owners within two-hundred (200') feet of the subject property.

Note: City staff now prepare the list of names and addresses.

#### Section 31.10. CERTIFICATE OF APPROPRIATENESS.

(1) Alteration of an exterior part of a building or a structure. Alterations to existing structures that are contributing structures or to structures designated as historic landmarks shall be permitted in the following instances.

Note: The following paragraph in Section 31.10 is deleted since historic properties are no longer to be divided into an "alteration area," or a "new construction area."

The requirements for alteration area apply to that portion of the structure and the property visible from the street right of way and located between that right of way and an invisible plane that bisects the structure, and extends to the property line, parallel to the right-of-way. In the case of a lot adjacent to more than one street right-of-way, an invisible plane is established that bisects the structure, and extends to the property line, parallel to each right-of-way. The portion of the structure and the property not subject to the criteria for the alteration area will be subject to the criteria for the new construction area.

(6) Demolition of Contributing Garages.

Note: Insert a new section 31.10(6) under "Demolition" that addresses the demolition of garages.

No contributing garage structure may be demolished without first receiving approval by the Historic Preservation Commission. It is a violation of the Municipal Code to demolish or alter the historic character of a contributing garage within the District without receiving approval and is subject to citation for noncompliance.

The Historic Preservation Commission may permit the demolition of a contributing garage structure only after considering the following factors and determine that the either the garage is not a contributing garage or it is not practicable to be retained on site.

Historical Significance. The Historic Preservation Commission shall determine whether the garage contributes to the historic character of the house, or district, based upon historical and architectural research.

Architectural Significance. The Historic Preservation Commission will consider whether or not the garage exhibits stylistic detailing that contributes to its historic significance. For example, the design of a garage may reflect the architectural style of the property's house. The garage may individually be significant for its construction method if it represents a variation, evolution, or transition of construction practices.

Architectural Integrity. The Historic Preservation Commission will consider if the architectural design of the structure has been altered and/or sufficient historic material has been removed in such a way that it compromises the overall integrity of the building. This may include a combination of the following:

- Removal or alteration of original door and/or window openings;
- Removal or alteration of original garage/barn/pedestrian doors;
- Installation of artificial siding;
- Alteration of the original building footprint and/or roofline; and,
- Loss of original materials due to removal and/or deterioration.

Functionality. The Historic Preservation Commission will consider whether or not the structure can be put to any reasonable use. For example, an historic one-car garage may be too small to accommodate a modern-day vehicle, but may still function as a place for storage. When assessing reasonable use, the following factors may be considered:

- Quality of original construction;
- Bowing walls;
- Lack of a foundation;
- Extensive siding repair;

- Termite damage;
- Rotted wood; and,
- Integrity of roof system.

Structural Condition. The Historic Preservation Commission will consider if one or more significant structural problems exist and whether or not rehabilitation of that structure would result in most of the historic materials being replaced, resulting in essentially a new building.

Location on the Property. The Historic Preservation Commission may consider the building's location on the property and whether or not it is visible from the public street, or alley, when assessing the impact that demolition will have on a historic district. However, location alone typically does not justify demolition.

(6) (7) Use of Substitute Materials. Substitute materials may be used as an acceptable alternative to the historic materials if all of the following conditions are met:

- (a) the historic material on the structure is so deteriorated or damaged that it cannot be repaired;
- (b) the substitute material can be installed without irreversibly damaging or obscuring the architectural features and trim of the building; **and**
- (c) the substitute material is similar to the historic material in size, design, composition and texture, such as one type of wood replacing another.
- (c) the historic material on the structure is not readily available.

Note: Comments on(a),(b) and the change to (c):

- This allows substitute materials only as a last resort and is consistent with the Secretary of Interior's Standards that require replacement of distinctive features to match the original materials "where possible."
- To substantiate that these conditions have been met, develop a checklist of required steps and documentation that must be completed before an application can be made to use substitute materials
- To accomplish (b), could require the involvement of qualified professionals in exploring options and developing details so that the historic building is not endangered or its historic integrity is not compromised.
- Applicants would need to work more closely with staff in the planning or design phase of a project in order to come to a common agreement that it is last resort case.
- The Historic Preservation Commission must be relied upon to evaluate each case independently; it would develop a consistent pattern of decisions over time

However, item (c) above notwithstanding, and the reference to "clapboard" in Sec. 31.13(26) notwithstanding, with respect to a structure that consisted of either a compatible or a contributing structure that had been at least doubled in size by a non-contributing addition, if the contributing or compatible portion of that structure is completely destroyed as a result of an event beyond the control of the owner, including fire or windstorm, and the non-contributing portion remains intact, then smooth surface siding made of vinyl, aluminum, steel, hard-board, or other synthetic materials of premium quality, may be used on both the remaining non-contributing portion of the said structure and on any new construction done to replace the contributing or compatible portion that was completely destroyed.

## Section 31.11. APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS.

- (2) Administrative Approval Process.
  - Types of Alterations. A Certificate of Appropriateness for the following types of exterior alterations, and new construction as described below, to the principal structure, garages, and other outbuildings, and the new construction of fences and retaining walls can be approved by the Planning and Housing Director, provided the alterations or new construction meet the adopted Design Guidelines and Design Criteria, and substitute materials, other than those specifically listed in the Design Guidelines, are not proposed. An application for an alteration may be referred by the Planning and Housing Director to the Commission for approval.
    - (i) Gutters and downspouts;
    - (ii) Reroofing with like materials;
    - (iii) Installation of replacement rubber or other composition materials for flat roofs;
    - (iv) Removal of nonoriginal siding materials to expose original siding materials;
    - (v) Installation or replacement of soffit vents; and
    - (vi) Replacement or the new construction of fences and retaining walls, as permitted by this Chapter.
    - (vii) Replacement of fifty percent (50%) or less of the siding/exterior surface areas, in excess of repair, with materials that are equivalent to the historic siding/exterior surface materials in size, design and texture.
    - (viii) Replacement of windows with materials that are consistent with the historic materials in size, design and texture;
    - (ix) Replacement of chimneys with materials that are consistent with the historic materials in size, design and texture;
    - (x) Installation of dormers on the portion of the house located in the new construction area, consistent with the architectural style of the structures;
    - (xi) Replacement of soffits with materials that are consistent with the historic materials in size, design and texture;
    - (xii) Installation or replacement of storm windows with new storm windows that are consistent with the historic window materials in size, design and texture; and
    - (xiii) Installation of skylights or attic fans in the new construction area so that they are inconspicuous from the public right-of-way and do not damage or obscure character-defining features.

Note: staff would have more authority to approve changes (Alterations) than currently allowed. All new construction, including additions, new garages, outbuildings, porches, etc., would require HPC approval. Alterations using substitute materials, other than those listed in the Design Guidelines for the particular architectural feature, will go to the Commission for approval.

Section 31.13. STANDARDS FOR REVIEW, DESIGN GUIDELINES, DESIGN CRITERIA. In considering an application for a Certificate of Appropriateness, staff and the Commission shall be guided by the Design Guidelines, which shall pertain to all historic preservation districts and historic landmarks; and, by the Design Criteria, which shall apply only to the particular historic district or historic landmark for which they are enacted. Said regulations are as follows:

Note: Move the paragraph above from Section 31.13 to a new Section 31.11(7).

## Sec. 31.13. DESIGN GUIDELINES FOR ALTERATIONS.

Note: Section 31.13 is now for "Alterations", not "Alteration Area" and "New Construction Area."

Note: Section 31.2(1) defines "Alteration" as any act or process that changes one or more of the exterior features of a structure.

Note: The terms "Alteration Area" and "New Construction Area" will no longer be part of Chapter 31.

- (1) Chimneys, Alteration Area.
  - (a) Existing brick or stone chimneys shall be retained whenever possible.
  - (b) New m<u>M</u>aterials shall be consistent with the historic materials in size, design, composition, and texture.
  - (c) Building and fire codes shall be met in regard to proper heights and other requirements.
  - (d) Chimney construction alterations shall be consistent with the architectural style.
  - (e) Alterations shall be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c).
- (2) Chimneys, New Construction Area.
  - (a) Chimney construction shall be consistent with the architectural style.
  - (b) New materials shall be compatible with the historic materials of the particular architectural style in size, design, and texture.
- (2) Decks and Similar Exterior Entrance Features.
  - (a) <u>Alterations to decks shall follow the design guidelines for the new construction of decks.</u>

## (3) Dormers, Alteration Area.

## (a) Dormers shall be retained whenever possible.

- (a) Dormers shall be constructed of new <u>M</u>materials <u>shall be</u> consistent with the historic materials in size, design, composition, and texture.
- (b) Dormers shall be constructed in the same shape, style, and scale as any historic dormer on the building, or in the same shape, style, and scale of dormers on houses of the same architectural style.
- (c) Dormers are not typical on certain styles of historic architecture and adding them in this case shall not be permitted.
- (d) Alterations shall be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c).

# (4) Dormers, New Construction Area.

- (a) Dormers shall be constructed of a design and scale that is consistent with the architectural style.
- (b) Dormers are not typical on certain styles of historic architecture and using dormers on new construction, in such cases, shall not be permitted.
- (c) New materials shall be compatible with the historic materials of the particular architectural style in size, design, and texture.

# (5)(4) Exits, Second and Third Story, Alteration Area.

- (a) Historic second and third story exits shall be retained whenever possible.
- (b) New mMaterials shall be consistent with the historic materials in size, design, composition, and texture.
- (c) Exit stairs located on the exterior shall be consistent with the architectural styles.
- (d) The stairs shall be constructed in the most compact form.
- (e) Exit stairs from upper level apartments shall be accommodated inside the existing building whenever possible.
- (f) The new construction of exit stairs in the alteration area is prohibited.
- (f) Exterior exit stairs shall be placed where least visible, set as far back as possible from any side facing the street and run parallel to and against the wall of the building.
- (g) Alterations shall be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c).

## (6) Exits, Second and Third Story, New Construction Area.

- (a) Exit stairs in the new construction area shall be accommodated inside the building whenever possible.
- (b) Exit stairs for newly constructed buildings shall be accommodated inside the building.
- (c) New construction shall be consistent with the architectural style.
- (d) New materials shall be compatible with the historic materials of the particular architectural style in size, design, and texture.
- (e) Exterior exit stairs shall be placed where least visible, set as far back as possible from any side facing the street and run parallel to and against the wall of the building.

- (7) Fence and Retaining Wall Height and Fence, Retaining Wall, and Trash or Animal Enclosure Materials.
  - (a) Historic retaining walls and perimeter fences shall be retained, whenever possible.
  - (b) Fence Height.
    - (i) Fences not exceeding six (6) feet in height are permitted within the limits of the side and rear yards.
    - (ii) Fences not exceeding four (4) feet in height are permitted within the limits of the front yard.
  - (c) Retaining Wall Height.
    - (i) The height of the retaining wall is limited to the height of the bank of soil being retained by the wall.
  - (d) Fence Materials
    - (i) Permitted Fence Materials:
      - a. Wood;
      - b. Masonry (for fence posts, only);
      - e. Iron;
      - d. Stone;
      - e. Stucco Walls;
      - f. Cast Stone; and,
      - g. Other fence materials for which historic evidence can be shown that the material has been used historically on properties in the historic district.
    - (ii) Fence Materials Not Permitted:
      - a. Vinyl;
      - b. Metal Panels;
      - e. Plastie;
      - d. Plywood;
      - e. Solid Masonry;
      - f. Concrete, including poured concrete to imitate brick; and,
      - g. Any other materials not listed as "permitted".
  - (e) Retaining Wall Materials.
    - (i) Permitted Retaining Wall Materials:
      - a. Stone (Mortared or Dry-laid);
      - b. Poured Concrete;
      - e. Brick;
      - d. Combination of Brick and Stone; and,
      - e. Other retaining wall materials for which historic evidence can be shown that the material has been used historically on properties in the historic district.
    - (ii) Retaining Wall Materials Not Permitted;
      - a. Wood Design, including railroad timbers, landscape timbers and landscape logs;
      - b. Concrete Block;
      - c. Imitation Brick or Stone:
      - d. Metal; and,
      - e. Any other material not listed as "permitted".

- (f) Trash and Animal Enclosure Materials.
  - (i) Permitted Trash and Animal Enclosure Materials:
    - a. Enclosures for trash receptacles or for animals shall be constructed of the same materials as are permitted elsewhere on the property for fences, or retaining walls
- (8) Fence and Retaining Wall and Trash and Animal Enclosure Design.
  - (a) New construction shall be consistent with the architectural style.
  - (b) Fence Design.
    - (i) Permitted Fence Designs:
      - a. Wood Picket;
      - b. Wood Slat:
      - c. Solid Wood;
      - d. Woven Wire:
      - e. Ornamental Iron;
      - f. Alternating Board;
      - g. Solid Wood Board fence with lattice comprising approximately the top one-third of the total fence height; and,
      - h. Other fence designs for which historic evidence can be shown that the design has been used historically on properties in the historic district.
    - (ii) Fence Designs Not Permitted.
      - a. Basket-Weave;
      - b. Chain Link;
      - c. Split Rail;
      - d. Horizontal Board;
      - e. Stockade:
      - f. Post and Rail;
      - g. Lattice, exceeding one-third of the total fence height; and,
      - h. Any other design not listed as "permitted".
  - (c) Retaining Wall Design.
    - (i) Permitted Retaining Wall Designs:
      - a. Brick Wall in combination with concrete caps:
      - b. Cast Stone/Cast-in-Place Concrete; and,
      - c. Other retaining wall designs for which historic evidence can be shown that the design has been used historically on properties in the historic district.
    - (ii) Retaining Wall Designs Not Permitted:
      - a. Hollow, or Solid Interlocking Concrete Block;
      - b. Faced Concrete Block; and,
      - c. Any other design not listed as "permitted".
  - (d) Trash and Animal Enclosure Design.
    - (i) Permitted Trash and Animal Enclosure Designs:
      - a. Enclosures for trash receptacles or for animals shall be constructed of the same designs as are permitted elsewhere on the property for fences, or retaining walls.

# (5) Fences and Retaining Walls.

- (a) Historic retaining walls and perimeter fences shall be retained, whenever possible.
- (b) Alterations shall be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c).

## (9)(6) Foundation, Alteration Area.

- (a) Existing foundations shall be retained whenever possible.
- (b) New mMaterials shall be consistent with the historic materials in size, design, composition, and texture.
- (c) Historic door and window openings and storm cellar entrances in the foundation shall be retained.
- (d) The adjacent grade at a foundation shall not be raised to cover any part of the foundation that was historically exposed. Minimal grade changes necessary to solve destructive drainage problems shall be permitted when no reasonable alternative exists.
- (e) Masonry and concrete foundations which were never painted shall not be painted.
- (f) Historic brick, stone, and rusticated masonry foundations shall not be coated with cement plaster or stucco where exposed above grade.

# (g) Alterations shall be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c).

### (10) Foundation, New Construction Area.

- (a) New construction shall be consistent with the architectural style.
- (b) New materials shall be compatible with the historic materials in size, design, and texture.
- (c) Brick used on foundations for additions shall be either reclaimed old brick or new brick which matches in size, color, and texture as closely as possible the brick used on the building.
- (d) The amount of exposed foundation on additions shall match that of the existing building.
- (e) Foundations using modern materials shall be permitted if the materials are veneered on the exterior with the appropriate historical materials above grade.
- (f) Openings in the foundation shall be consistent with the architectural style of the building being added to.
- (g) The height of the exposed foundation shall be consistent with that of the particular architectural style.

## (11)(7) Garages and Accessory Buildings Outbuildings., Alteration Area.

- (a) Historic garages and outbuildings shall be retained whenever possible.
- (b) New materials shall be consistent with the historic materials in size, design, composition, and texture.
- (c) The placement, size, and shape of the historic windows in garages and other outbuildings shall be maintained.
- (d) Replacement of historic garage doors with compatible overhead doors shall be done with two single size doors rather than one double-wide type.

- (a) <u>Garages shall be retained, whenever possible. Demolition is allowed</u> only if it is determined by the Historic Preservation Commission that the adopted criteria for demolition of a contributing garage are met.
- (b) Retain and preserve the character-defining materials, features, and details of historic garages, including foundations, roofs, siding, masonry, windows, doors, and architectural trim, in accordance with Design Guidelines for each exterior feature, and Design Criteria for the architectural type of the principal structure.
- (c) Replace features in kind that are too deteriorated to repair using physical evidence to guide the new work.
- (d) If replacement of a deteriorated element or detail of a historic garage is necessary, replace only the deteriorated portion in kind rather than the entire feature. Match the original element or detail in design, dimension, texture, and material.
- (e) If the contributing garage is insufficient in size for modern-day vehicles, efforts should be made to construct a new garage on another portion of the site, to accommodate the vehicles.
- (f) Relocation of the contributing garage to another location on the site may be considered by the Historic Preservation Commission to accommodate the construction of a new garage.
- (g) <u>Alteration of contributing garages by using materials, configurations, and designs that do not match the design appropriate for the period and the garage is prohibited.</u>
- (h) <u>Historic garage doors of contributing garages shall be retained,</u> whenever possible.
- (i) Repair garage door features or portion of a features in-kind, utilizing the same material.
- (j) Replacement of a historically-significant garage door feature or portion thereof that is too deteriorated to be repaired shall match the existing garage door feature in design, dimensions, location and material.
- (k) Repair and re-hanging of original doors is required, instead of replacement, where possible.
- (I) Only when a historic garage door is beyond repair will its replacement be considered.
- (m)<u>If a historic garage door is beyond repair, the replacement shall match</u> the historic garage door in design, dimensions, operation and material.
- (n) If matching the historic door is not possible, the proposed replacement door shall contain as many of the elements of the historic door or of a garage door design appropriate for the period and design of the structure, as is possible.
- (o) A garage door shall be no larger than necessary to enclose the existing opening.
- (p) When replacing a non-historic door or replacing a missing door, the new door shall be consistent with doors of the period in design character and dimensions.

- (q) When replacing non-historic or missing garage doors, new doors shall be consistent with the historic character of the building in terms of quantity of doors, height, width, proportion, trim, corner details, and pattern of panels, glass and operation.
- (r) <u>Garage doors shall be single wide. Double wide garage doors are not permitted.</u>
- (s) <u>Alterations shall be done with historic materials or substitute materials</u> that comply with the stipulations of Section 31.10(7)(a), (b) and (c).

## (12) Garages and Outbuildings, New Construction Area.

- (a) New construction shall be consistent with the architectural style.
- (b) New materials shall be compatible with the historic materials of the particular architectural style of the principal structure in size, design and texture.
- (c) New garages or other outbuildings shall not exceed the height or bulk of the principal building.
- (d) Metal outbuildings are not permitted.
- (e) New outbuildings shall use window design and materials that follow that of the principal structure.
- (f) Aluminum or steel garage doors may be used as a substitute for wood.
- (g) Double garages shall have two single doors rather than one double wide door.
- (h) The roof form of a garage or other outbuilding shall be similar to the roof form of the principal structure.
- (i) A new outbuilding shall not attempt to mimic the house or look like a barn or other non-historic building.

## (13)(8) Gutters and Downspouts, Alteration Area.

- (a) Built-in gutters and other historic drainage provisions such as wood gutters shall be retained whenever possible.
- (b) New mMaterials shall be consistent with the historic materials in size, design, composition, and texture.
- (c) Downspouts and gutters may be added if they have not previously existed.
- (d) Metal gutters and downspouts shall be permitted when dealing with a building where a water removal system never existed or where repair of the historic system is not possible.
- (e) Half-round gutters and round downspouts or Roman ogee (K-style) gutters and **rectangular** downspouts shall be permitted.
- (f) Downspouts shall be run vertically. Diagonals crossing roof planes and walls shall not be permitted.
- (g) Alterations shall be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c).

## (14) Gutters and Downspouts, New Construction Area.

- (a) New materials shall be compatible with the historic materials of the particular architectural style in size, design, and texture.
- (b) Downspouts shall be run vertically. Diagonals crossing roof planes and walls shall not be permitted.
- (c) Metal gutters and downspouts shall be permitted when dealing with a building where a water removal system never existed or where repair of the historic system is not possible.

## (15) Massing.

- (a) The height of new construction shall be consistent with the height of historic buildings of the same architectural style.
- (b) New construction shall be an appropriate height and massing when it is viewed in relation to historic buildings in the district.
- (c) Additions shall not exceed the height of the historic building and shall be compatible with the massing of the historic building.
- (d) The floor-to-floor heights of new construction shall be consistent with the floor-to-floor heights of historic buildings of the same basic architectural style.
- (e) Additions shall have a floor-to-floor height the same as the historic building.

## (16) Moved Buildings.

- (a) Infill buildings shall be placed on a foundation exposed similarly to that of other buildings of the same architectural style.
- (b) Buildings moved into a district shall be consistent with the massing, architectural style, height, and materials of buildings in the district.
- (e) Historic porches, chimneys, or architectural features that were removed during the moving process shall be replaced when the building is at its new location.

Note: Design Guidelines for "Massing" and "Moved Buildings" are included in the Design Guidelines for New Construction.

## (17)(9) Porches and Similar Exterior Entrance Features., Alteration Area.

- (a) Historic porches, verandas, patios or similar exterior entrance features shall be retained whenever possible.
- (b) Alterations to existing porches, verandas, patios or similar features shall be consistent with the architectural style of the dwelling.
- (c) New materials shall be consistent with the historic materials in size, design, composition, and texture, except for the composition of materials specifically identified as acceptable alternatives for porch floors and columns.
- (d) Enclosing a porch shall be permitted only if consistent with the architectural style.
- (e) Second or third story sun porches or balconies, historic in design, shall be retained. Doors leading out to these shall also be retained.

- (f) Porch balustrades shall be constructed with materials of the same size, height, detailing, and baluster spacing consistent with the historic architectural style. Note: It will be necessary to obtain authorization from the city Building Official prior to constructing a balustrade which does not meet the minimum requirements, as specified by the Uniform International Building Code. When the lower and historically correct height of a porch rail cannot be considered to be life threatening, the Historic Preservation Commission shall support the applicant's request for special consideration under Section 104(f) of the Building Code.
- (g) Handrails required on porch steps, if not of a historic design and materials, shall be a simple metal rail or similar to other balustrade elements on the porch.
- (h) When designing and constructing a new entrance feature or porch, if the historic entrance or porch is completely missing, the new one may be a restoration based on historical, pictorial, and physical documentation; or be a new design that is compatible with the historic character of the building.
- (i) (h) When designing enclosures for historic porches, required by the new use, in a manner that preserves the historic character of the building, this can include using large sheets of glass and recessing the enclosure wall behind existing scrollwork, posts, and balustrades.
- (i) Composite material is permitted for use on porch floors when not visible from the street or other historic resources.
- (j) Fiberglass material is allowed for porch columns, provided the columns have the historically correct proportions to resemble historic wood columns.
- (k) Vinyl material is prohibited for porch columns.
- (I) Allow substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c), accepts paint and matches historic materials in size, design, texture and other visible features.
- (m) Stair risers shall be enclosed.
- (n) Locate ramp to minimize its visibility from the public way; to incorporate it behind an existing historic feature; and, if it is providing access to a porch, to enter the porch from the side
- (o) Locate and design ramps to minimize damage to existing materials
- (p) Locate and design ramp to allow for its removal and for restoration to the historic original appearance with no loss of architectural integrity
- (q) Minimize loss of historic features at the point where ramp connects (porch, railings, steps, windows)
- (r) Design of ramps shall be simple and non-obtrusive, with historic materials or materials compatible with historic materials

Note: Design Guideline 9(h) has been included in Design Guidelines for New Construction, Section 31.14.

- (18) Porches and Similar Exterior Entrance Features, New Construction Area.
  - (a) A porch or similar entrance feature is required where it is necessary to meet the elements of the particular architectural style.
  - (b) New materials shall be compatible with the historic materials of the particular architectural style in size, design and texture.
  - (c) New construction shall be consistent with the architectural style.
  - (d) Porches or similar entrance features shall have a connection to the interior by the use of windows and doors.
  - (e) A porch or similar entrance feature is permitted on a particular structure if the porch is consistent with the architectural style of the structure.
  - (f) When designing and constructing a new entrance feature or porch, if the historic entrance or porch is completely missing, the new one may be a restoration based on historical, pictorial, and physical documentation; or be a new design that is compatible with the historical character of the building.
  - (g) When designing enclosures for historic porches, required by the new use, in a manner that preserves the historic character of the building, this can include using large sheets of glass and recessing the enclosure wall behind existing scrollwork, posts, and balustrades.

# (19)(10) Roofs, Alteration Area.

- (a) The historic roof shape and roof features, including eaves, shall be maintained.
- (b) Historic roofing materials and roof features shall be retained whenever possible.
- (c) Substitute materials shall be consistent with the historic materials in size, design, and texture. Asphalt shingles are permitted as a substitute for the historic materials.
- (d) Solar collectors shall not be permitted in the alteration area. Elements of solar design either active collectors, trombe walls, or passive collectors shall be kept to the back or a side away from the street and incorporated into the building design to result in site placement, massing, and roof forms which are consistent with the architectural styles in the district. Solar collectors shall be mounted flush to the roof plane and at the same angle as the roof plane.
- (e) Skylights, roof windows, wind generators, and radio and television reception equipment and other mechanical equipment shall not be permitted in the alteration area which are roof mounted shall be designed in such a way that they are not visible from the street.
- (f) Alterations shall be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c).

## (20) Roofs, New Construction Area.

- (a) Roof pitch and roof shape shall be the same as that of historic structures, repeating basic roof forms consistent with architectural styles in the district.
- (b) New materials shall be compatible with the historic materials of the particular architectural style in size, design, and texture.
- (c) New construction shall be consistent with the architectural style.

- (d) Elements of solar design either active collectors, trombe walls, or passive collectors shall be kept to the back or a side away from the street and incorporated into the building design to result in site placement, massing, and roof forms which are consistent with the architectural styles in the district.
- (e) Solar collectors shall be mounted flush to the roof plane and at the same angle as the roof plane.
- (f) Mechanical systems and other devices which are roof mounted shall be designed in such a way that they are not visible from the street.
- (g) Additions shall have a roof pitch compatible with the building being added to.
- (h) The roofs of additions shall not interfere with the original roof form by changing its basic shape.
- (i) The roof of an addition shall not be higher than the main roof of the existing building.

## (21)(11) Siding/Exterior Materials, Alteration Area.

- (a) The historic exterior siding material shall be retained whenever possible.
- (b) New mMaterials shall be consistent with the historic materials in size, design, composition, and texture.
- (c) Resurfacing the facades of a building must be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(6)(7)(a), (b) and (c).
- (d) Cementitious siding (smooth finish) of an appropriate profile is permitted for portions of the structure that are not part of the original structure, and on additions that are less than 50 years old.
- (e) Alterations shall be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c).

## (22) Siding/Exterior Materials, New Construction Area.

- (a) New materials shall be compatible with the historic materials of the particular architectural style in size, design, and texture.
- (b) New construction shall be consistent with the architectural style.
- (c) Resurfacing the facades of a building must be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(6)(a), (b) and (c).

#### (23) Site Features and Relationships.

- (a) The general historical setback pattern for the design of historic building fronts shall be incorporated into new construction of similar architectural styles.
- (b) Additions may be authorized in a portion of the alteration area. Additions shall not be placed on any street side of a building. Additions may be placed on any non-street side so long as that does not radically change, obscure, damage or destroy character defining features. Additions that protrude in front of, or otherwise obscure the primary street facade shall not be allowed.

Note: Design Guidelines for "Site Features and Relationships" are included in the Guidelines for New Construction.

## (24)(12) Windows and Doors, Alteration Area.

- (a) <u>Deteriorated</u> Hhistoric windows and doors shall be retained whenever possible shall be repaired rather than replaced, whenever possible. In the event replacement is necessary for windows on the original portion of the historic structure, or on any portion of the structure that is 50 years old, or older, the original wood windows shall be replaced with wood windows to match the original in design and profile. In the event replacement is necessary for a portion of the structure that was not part of the original structure, and was added to the original structure less than 50 years ago, aluminum clad wood windows, with an anodized or baked enamel finish may be used as a replacement.
- (b) New materials shall be consistent with the historic materials, in size, design, and texture
- (c) New door and window openings shall follow the pattern of door and window openings of the historic architectural style.
- (d) The shape of historic window divisions shall not be changed. New muntin bars and mullions shall duplicate the original in size and profile shape.
- (e) Replacement frame profiles shall be consistent with those of the historic frame profiles.
- (f) New metallic frames shall be baked enamel or painted. Combination aluminum, steel, or vinyl storms may be used as a substitute for wood.
- (g) Historic stained glass windows shall be retained. In the case where the window must be replaced, the replacement shall be complementary in design and ornamentation to the historic window.
- (h) The addition of stained glass windows into openings which did not historically have stained glass is not permitted.
- (i) Historic door and window openings shall not be blocked down to accommodate stock sizes.
- (j) Plastic or metal shutters shall not be permitted.
- (k) Plastic, metal, or wood awnings shall not be permitted.
- (I) Alterations shall be done with historic materials or substitute materials that comply with the stipulations of Section 31.10(7)(a), (b) and (c).

## (25) Windows and Doors, New Construction Area.

- (a) New materials shall be compatible with the historic materials of the particular architectural style in size, design, and texture.
- (b) New construction shall be consistent with the architectural style.
- (c) The windows and doors of new construction shall follow the rhythm (spacing pattern) and the size and shape of windows and door openings found in the walls of similar historic buildings.
- (d) Horizontal windows, small windows, and modern picture windows shall not be used when vertically oriented and larger windows are used on the historic structure.
- (e) Window trim elements shall be used in a manner similar to the architectural styles or in a simplified contemporary version of this.
- (f) Large areas of solid blank wall shall not be created on any highly visible elevations in the historic district.

- (g) The use of smoked, mirrored, or tinted glass is not permitted in the district.
- (h) Exposed metallic frames shall be baked enamel or painted.
- (i) Combination aluminum, steel, or vinyl storms may be used as a substitute for wood.
- (26) Design Criteria for the 'Old Town' District.

Remove the "Solid/Void Ratio" from the Design Criteria for each architectural type of building identified for the 'Old Town' District.

## Sec. 31.14. DESIGN GUIDELINES FOR NEW CONSTRUCTION.

Note: This is a new section that separates the Design Guidelines for "New Construction" from the ones for "Alterations."

Note: Section 31.2(22) defines "New Construction" as the erection of a new principal or accessory structure on a lot or property, or an addition to an existing structure.

## (1) Chimneys.

- (a) Chimney construction shall be consistent with the architectural style.
- (b) Historic materials shall be used, unless substitute materials are approved in accordance with Section 31.10(7), Use of Substitute Materials, and the size, design and texture of the substitute materials are compatible with the historic materials of the particular architectural style.

Note: Design Guidelines for "decks" have been separated from those that apply to porches, as described in Section 31.14(2), below.

## (2) Decks.

- (b) Decks shall be located at the rear, or opposite the street-facing side of principal buildings. If built on the side of a building, the deck shall be screened from street view with fencing and/or appropriate native coniferous plant materials.
- (c) Exposed materials shall be stained, or painted, to match or blend with the colors of the house.
- (d) <u>Lattice</u>, or foundation materials that are consistent with the foundation materials of the historic structure shall be installed in the opening between the piers and between the deck floor and the ground.
- (e) The historic fabric of the building and its character defining features shall not be damaged, destroyed or obscured.
- (f) The deck shall be self-supporting, so that it may be removed in the future, without damage to the historic structure.
- (g) <u>Design and detailing, including the deck railings and steps, shall reflect the historic architecture and proportions of the principal building.</u>
- (h) Align decks generally with the height of the principal building's first-floor level.

(i) Wood materials shall be used for all exposed parts of a deck, with the exception that composite material is permitted for the deck floor and steps providing direct access to the deck.

## (3) Dormers.

- (a) Dormers shall be constructed of a design and scale that is consistent with the architectural style.
- (b) Dormers are not typical on certain styles of historic architecture and using dormers on new construction, in such cases, shall not be permitted.

# (4) Egress Windows.

- (a) <u>Below-grade egress windows, and associated window wells shall be</u>
  <u>designed to be as unobtrusive as possible. Landscape, and/or fence</u>
  <u>screening may be required if the egress window and/or window well is</u>
  visible from the street.
- (b) <u>Wood windows, or aluminum clad wood windows, with an anodized or</u> baked enamel finish are permitted.
- (c) Metal materials are not permitted for the retaining walls of below-grade egress windows.

## (5) Exits, Second and Third Story.

- (a) Exit stairs for newly constructed buildings shall be accommodated inside the building.
- (6) Fence and Retaining Wall Height and Fence, Retaining Wall, and Trash or Animal Enclosure Materials.
  - (a) Fence Height.
    - (i) Fences shall comply with the height standards as described in Section 29.408 (Other General Development Standards).

Note: The fence height requirements have been changed from the current wording, to be consistent with zoning General Development Standards for fences in the Zoning regulations.

#### (c) Retaining Wall Height.

(i) The height of the retaining wall is limited to the height of the bank of soil being retained by the wall.

## (d) Fence Materials

- (i) Permitted Fence Materials:
  - a. Wood;
  - b. Masonry (for fence posts, only);
  - c. Iron;
  - d. Stone;
  - e. Stucco Walls;

- f. Cast Stone; and,
- g. Metal construction fabricated of visually and structurally substantial heavy guage or cast components, and shall not be assembled with sheet metal rivets, or of light tubular or sheet metal assembled with bolts and screws.
- Note: Aluminum fence material has been added to the current regulations for fences.

  Intent is as an alternative material to wrought iron fencing in side or rear yards only
  - h. Other fence materials for which historic evidence can be shown that the material has been used historically on properties in the historic district.
  - (ii) Fence Materials Not Permitted:
    - a. Vinyl;
    - b. Metal Panels;
    - c. Plastic;
    - d. Plywood;
    - e. Solid Masonry;
    - f. Concrete, including poured concrete to imitate brick; and,
    - g. Any other materials not listed as "permitted".
  - (e) Retaining Wall Materials.
    - (i) Permitted Retaining Wall Materials:
      - a. Stone (Mortared or Dry-laid);
      - b. Poured Concrete;
      - c. Brick;
      - d. Combination of Brick and Stone; and,
      - e. Other retaining wall materials for which historic evidence can be shown that the material has been used historically on properties in the historic district.
    - (ii) Retaining Wall Materials Not Permitted;
      - <u>a. Wood Design, including railroad timbers, landscape timbers and landscape logs;</u>
      - b. Concrete Block;
      - c. Imitation Brick or Stone;
      - d. Metal; and,
      - e. Any other material not listed as "permitted".
  - (f) Trash and Animal Enclosure Materials.
    - (i) Permitted Trash and Animal Enclosure Materials:
      - a. Enclosures for trash receptacles or for animals shall be constructed of the same materials as are permitted elsewhere on the property for fences, or retaining walls.
- (7) Fence and Retaining Wall and Trash and Animal Enclosure Design.
  - (a) New construction shall be consistent with the architectural style.

# (b) Fence Design.

- (i) Permitted Fence Designs:
  - a. Wood Picket;
  - b. Wood Slat;
  - c. Solid Wood;
  - d. Woven Wire;
  - e. Ornamental Iron;
  - f. Heavy Guage Metal;
  - g. Alternating Board;
  - h. Solid Wood Board fence with lattice comprising approximately the top one-third of the total fence height; and,
  - i. Other fence designs for which historic evidence can be shown that the design has been used historically on properties in the historic district.
- (ii) Fence Designs Not Permitted.
  - a. Basket-Weave;
  - b. Chain Link;
  - c. Split Rail;
  - d. Horizontal Board;
  - e. Stockade;
  - f. Post and Rail;
  - g. Lattice, exceeding one-third of the total fence height; and,
  - h. Any other design not listed as "permitted".
- (c) Retaining Wall Design.
  - (i) Permitted Retaining Wall Designs:
    - a. Brick Wall in combination with concrete caps;
    - b. Cast Stone/Cast-in-Place Concrete; and,
    - c. Other retaining wall designs for which historic evidence can be shown that the design has been used historically on properties in the historic district.
  - (ii) Retaining Wall Designs Not Permitted:
    - a. Hollow, or Solid Interlocking Concrete Block;
    - b. Faced Concrete Block; and,
    - c. Any other design not listed as "permitted".
- (d) Trash and Animal Enclosure Design.
  - (i) Permitted Trash and Animal Enclosure Designs:
    - a. Enclosures for trash receptacles or for animals shall be constructed of the same designs as are permitted elsewhere on the property for fences, or retaining walls.

#### (8) Foundation.

- (a) Foundation construction shall be consistent with the architectural style.
- (b) Historic materials shall be used, unless substitute materials are approved in accordance with Section 31.10(7), Use of Substitute Materials, and the size, design and texture of the substitute materials

- <u>are compatible with the historic materials of the particular architectural</u> style.
- (c) Brick used on foundations for additions shall be either reclaimed old brick or new brick which matches in size, color, and texture as closely as possible the brick used on the building.
- (d) The amount of exposed foundation on additions shall match that of the existing building.
- (e) Foundations using modern materials shall be permitted if the materials are veneered on the exterior with the appropriate historical materials above grade.
- (f) Openings in the foundation shall be consistent with the architectural style of the building being added to.
- (g) The height of the exposed foundation shall be consistent with that of the particular architectural style.

# (9) Garages and Accessory Buildings.

- (a) Garage and accessory building construction shall be consistent with the architectural style.
- (b) Historic materials shall be used, unless substitute materials are approved in accordance with Section 31.10(7), Use of Substitute Materials, and the size, design and texture of the substitute materials are compatible with the historic materials of the particular architectural style.
- (c) Garages and accessory buildings shall not exceed the height or bulk of the principal building.
- (d) Metal accessory buildings are not permitted.
- (e) Accessory buildings shall use window design and materials that follow that of the principal structure.
- (f) Aluminum or steel garage doors may be used as a substitute for wood.
- (g) Double garages shall have two single doors rather than one double wide door.
- (h) The roof form of a garage or accessory building shall be similar to the roof form of the principal structure.
- (i) An accessory building shall not attempt to mimic the house or look like a barn or other non-historic building.
- (j) Cementitious siding (smooth finish) of an appropriate profile may be used for the new construction of garages and other accessory buildings.

# (10) Gutters and Downspouts.

- (a) Downspouts shall be run vertically. Diagonals crossing roof planes and walls shall not be permitted.
- (b) Metal gutters and downspouts shall be permitted when dealing with a building where a water removal system never existed or where repair of the historic system is not possible.

(c) Historic materials shall be used, unless substitute materials are approved in accordance with Section 31.10(7), Use of Substitute

Materials, and the size, design and texture of the substitute materials are compatible with the historic materials of the particular architectural style.

## (11) Massing.

- (a) The height of new construction shall be consistent with the height of historic buildings of the same architectural style.
- (b) New construction shall be an appropriate height and massing when it is viewed in relation to historic buildings in the district.
- (c) Additions shall not exceed the height of the historic building and shall be compatible with the massing of the historic building.
- (d) The floor-to-floor heights of new construction shall be consistent with the floor-to-floor heights of historic buildings of the same basic architectural style.
- (e) Additions shall have a floor-to-floor height the same as the historic building.

# (12) Moved Buildings.

- (a) Infill buildings shall be placed on a foundation exposed similarly to that of other buildings of the same architectural style.
- (b) Buildings moved into a district shall be consistent with the massing, architectural style, height, and materials of buildings in the district.
- (c) Historic porches, chimneys, or architectural features that were removed during the moving process shall be replaced when the building is at its new location.

# (13) Porches and Similar Exterior Entrance Features.

- (a) A porch or similar entrance feature is required where it is necessary to meet the elements of the particular architectural style.
- (b) Historic materials shall be used, unless substitute materials are approved in accordance with Section 31.10(7), Use of Substitute Materials, and the size, design and texture of the substitute materials are compatible with the historic materials of the particular architectural style.
- (c) Construction shall be consistent with the architectural style.
- (d) Porches or similar entrance features shall have a connection to the interior by the use of windows and doors.
- (e) A porch or similar entrance feature is permitted on a particular structure if the porch is consistent with the architectural style of the structure.
- (f) When designing and constructing a new entrance feature or porch, if the historic entrance or porch is completely missing, the new one may be a restoration based on historical, pictorial, and physical documentation; or be a new design that is compatible with the historical character of the building.
- (g) The location of porches on new structures, or as additions to historic structures, shall be consistent with the architectural style of the structure.
- (h) Composite material is permitted for use on porch floors, when not visible from the street, or other historic resources.
- (i) Fiberglass material is allowed for porch columns, provided the columns have the historically correct proportions to resemble historic wood columns.
- (j) Vinyl material is prohibited for porch columns.
- (k) Locate ramp to minimize its visibility from the public way; to incorporate it behind an existing historic feature; and, if it is providing access to a porch, to enter the porch from the side
- (I) Locate and design ramps to minimize damage to existing materials
- (m) Locate and design ramp to allow for its removal and for restoration to the historic original appearance with no loss of architectural integrity
- (n)Minimize loss of historic features at the point where ramp connects (porch, railings, steps, windows)
- (o) Design of ramps shall be simple and non-obtrusive, with historic materials or materials compatible with historic materials

## (14) Roofs.

- (a) Roof pitch and roof shape shall be the same as that of historic structures, repeating basic roof forms consistent with architectural styles in the district.
- (b) Historic materials shall be used, unless substitute materials are approved in accordance with Section 31.10(7), Use of Substitute

  Materials, and the size, design and texture of the substitute materials are compatible with the historic materials of the particular architectural style.
- (c) Construction shall be consistent with the architectural style.
- (d) Elements of solar design either active collectors, trombe walls, or passive collectors shall be kept to the back or a side away from the street and incorporated into the building design to result in site placement, massing, and roof forms which are consistent with the architectural styles in the district.
- (e) Solar collectors shall be mounted flush to the roof plane and at the same angle as the roof plane.
- (f) Mechanical systems and other devices which are roof mounted shall be designed in such a way that they are not visible from the street.
- (g) Additions shall have a roof pitch compatible with the building being added to.
- (h) The roofs of additions shall not interfere with the original roof form by changing its basic shape.
- (i) The roof of an addition shall not be higher than the main roof of the existing building.
- (j) Asphalt shingles are permitted as a substitute for the historic materials.

## (15) Siding/Exterior Materials.

- (a) Construction shall be consistent with the architectural style.
- (b) Cementitious siding (smooth finish) of an appropriate profile may be used for the new construction of stand-alone primary buildings, garages and other outbuildings. It may also be used for new additions to historic structures.
- (c) Historic materials shall be used, unless substitute materials are approved in accordance with Section 31.10(7), Use of Substitute Materials, and the size, design and texture of the substitute materials are compatible with the historic materials of the particular architectural style.

## (16) Site Features and Relationships.

- (a) The general historical setback pattern for the design of historic building fronts shall be incorporated into new construction of similar architectural styles.
- (b) Additions, other than porches shall not be placed on any street side of a building. Additions may be placed on any non-street side so long as that does not radically change, obscure, damage or destroy character defining features. Additions that protrude in front of, or otherwise obscure the primary street facade shall not be allowed.

## (17) Windows and Doors.

- (a) Historic materials shall be used, unless substitute materials are approved in accordance with Section 31.10(7), Use of Substitute Materials, and the size, design and texture of the substitute materials are compatible with the historic materials of the particular architectural style.
- (b) Construction shall be consistent with the architectural style.
- (c) The windows and doors of new construction shall follow the rhythm (spacing pattern) and the size and shape of windows and door openings found in the walls of similar historic buildings.
- (d) Horizontal windows, small windows, and modern picture windows shall not be used when vertically oriented and larger windows are used on the historic structure.
- (e) Window trim elements shall be used in a manner similar to the architectural styles or in a simplified contemporary version of this.
- (f) Large areas of solid blank wall shall not be created on any highly visible elevations in the historic district.
- (g) The use of smoked, mirrored, or tinted glass is not permitted in the district.
- (h) Exposed metallic frames shall be baked enamel or painted.
- (i) Combination aluminum, steel, or vinyl storms may be used as a substitute for wood.
- (j) Aluminum clad wood windows, with an anodized or baked enamel finish may be used as a substitute for wood windows on new building additions.
- (k) Fiberglass material is permitted for doors on new structures, or additions to existing structures.

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