

CHAPTER 230
HISTORIC PRESERVATION

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230.001. Purpose. The purpose of this Chapter is to identify, designate, and preserve significant properties related to the community's prehistory and history; encourage the rehabilitation and ongoing viability of historic buildings and structures; strengthen public support for historic preservation efforts within the community; foster civic pride; encourage cultural heritage tourism; and promote the continued productive use of recognized resources, and to implement the policies contained in the Salem Area Comprehensive Plan for the preservation of historic resources. (Ord No. 34-10)

230.005. Definitions; Rules of Decision; Administrative Resources.

(a) Unless the context specifically indicates otherwise, as used in this Chapter the following mean:

- (1) Alteration means a physical modification of the exterior of a historic resource that does not include an expansion of the building footprint. Alterations do not include painting, color selection, or ordinary maintenance or repair of the resource.
- (2) Addition means an expansion or physical modification of the exterior of a historic resource that includes the expansion of the building footprint. Additions do not include painting and color selection or ordinary maintenance or repair of the resource.
- (3) Building means a structure created to shelter any form of human activity, such as a house, barn, church, hotel, or similar structure. Building may refer to a historically related complex such as a courthouse and jail or a house and barn.
- (4) Primary façade means that part of a historic resource where the main entry is located.

On a corner lot each wall fronting the street shall be considered a primary façade.

(5) Historic district means a geographically definable area containing a significant concentration, linkage, or continuity of buildings, structures, sites, or objects united historically or aesthetically by plan or physical development, and listed as a historic district in the National Register of Historic Places. A historic district may also comprise individual elements separated geographically but linked by association or history. Historic districts are defined by a period of significance. National Register District nominations for historic district designation are processed by the Oregon State Historic Preservation Office (SHPO) and reviewed by the State Advisory Committee on Historic Preservation (SACHP). The final decision for listing on the National Register of Historic Places is made by the National Park Service. Property owners within the proposed National Register Districts are notified by SHPO and have the opportunity to object. 36 CFR 60.6 provides that if fifty-one percent of owners object to the proposed district, the nomination cannot proceed to review by SACHP and the National Park Service. The Historic Landmarks Commission and City Council have the opportunity to comment and make recommendations on the nomination prior to review by SACHP.

(6) Historic contributing building means a building or structure in a historic district that existed during the period of significance, and has retained sufficient integrity to convey the history of the district and to contribute to its character.

(7) Historic non-contributing building means a building or structure in a historic district that existed during the period of significance, but has been so altered that it no longer conveys the history of the district or contributes to its character.

(8) Historic preservation means preservation, restoration, or rehabilitation of a historic resource.

(9) Historic resource means a historic contributing building, individually listed resource, a site or an object that is an individually listed resource or designated as a historic-contributing site or an object in a historic district.

(10) Individually listed resource means a building, structure, site, or object listed individually on the National Register of Historic Places or designated as a local historic resource by the City Council.

(11) Local historic resource means a building, structure, site, or object designated as a local historic resource pursuant to this Chapter.

(12) Non-contributing building means a historic non-contributing building or a non-historic non-contributing building.

(13) Non-historic non-contributing building means a building or structure in a historic district that did not exist during the period of significance.

(14) Object means a material thing of functional, aesthetic, cultural, historic or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

(15) Original means the component was constructed on or added to the building during the period of significance.

(16) Period of significance means the dates stated in the official designation of a historic district by the National Parks Service that identifies the period or periods of time when geographic area attained the characteristics which qualify the area for designation as a historic district.

(17) Property pending designation means a building, structure, site, or object for which a formal application for local historic designation has been initiated, or which has been recommended for nomination to the National Register of Historic Places by SACHP, or a building, structure, site, or object within a proposed historic district for which a formal application for historic designation has been submitted, but which have not yet been

reviewed by the Keeper of the National Register, or has been reviewed by the Keeper and determined to be "eligible."

(18) Preservation means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic resource. Work, including preliminary measures to protect and stabilize the resource, generally focuses on the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not considered preservation; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

(19) Restoration means the act or process of accurately depicting the form, features, and character of a historic-contributing resource or historic-non-contributing resource as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

(20) Rehabilitation means the process of making possible a compatible use for a historic-contributing resource or individually listed resource through repair, alterations, and additions, while preserving those portions or features which convey its historical, cultural, or architectural values.

(21) Reconstruction means the act or process of depicting, by means of new construction, the form, features, or detailing of a non-surviving building, or structure for the purpose of replicating its appearance at a specific period of time and in its historic location.

(22) Site means the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing structure.

(23) Structure means a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by humans, a structure is often an engineering project large in scale.

(24) Visible means the resource, or a portion of the resource can be seen from the public right of way. For example, typically the primary façade of a historic resource can be seen from the public right of way.

(b) **Supplemental Standards and Guidelines for Historic Design Review.** In the event the standards and guidelines contained in this Chapter fail to provide regulations for a specific type of historic resource, the rules of the decision will be the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, published by the U.S. Department of the Interior, National Park Service.

(c) **Authority to Promulgate Guidelines.** The Director may, upon consultation with the Historic Landmarks Commission, promulgate illustrative guidelines to provide general guidance to interested persons on the application of the standards in this Chapter. (Ord No. 34-10)

230.010. Designation of Local Historic Resources.

(a) **Applicability.** Buildings, structures, sites, or objects may be designated as local historic resources as provided in this section.

(b) **Procedure Type.** Designation of a local historic resource is processed as a Type IV procedure under SRC Chapter 300.

(c) **Standing to Request Designation.**

(1) Local historic resource designation may be initiated by the following:

(A) The City Council;

- (B) The Historic Landmarks Commission; or
 - (C) The owner of the proposed resource.
- (2) Any person may file a request with the City Council or the Historic Landmarks Commission for initiation of the designation of a local historic resource, provided the proposed resource is not the subject of a pending application for alteration or demolition.
- (d) Additional Submittal Requirements.** In addition to the submittal requirements for a Type IV application under SRC Chapter 300, an application for local historic resource designation shall include:
- (1) Narrative description of the proposed resource including:
 - (A) Significant features of the site to be covered by the designation; and
 - (B) Significant people and events connected with the proposed resource.
 - (2) Site plan;
 - (3) Current photographs of all elevations of the building or structure and any significant feature;
 - (4) Copies of any historical photographs, plans, or maps; and
 - (5) Any other documentation demonstrating the significance of the proposed resource.
- (e) Criteria.** An application for the designation of a local historic resource shall be granted if the following criteria are met:
- (1) **Age.** The proposed historic resource is at least fifty years old, or demonstrates exceptional significance if less than fifty years of age.
 - (2) **Significance.** The proposed historic resource demonstrates significance in at least one of the following areas:
 - (A) **Cultural Significance.** The proposed historic resource:
 - (i) Contributes to the character and historic identity of the neighborhood or city; or
 - (ii) Makes a contribution to the historic character of a historic resource, neighborhood, district, or the city as a whole.
 - (B) **Human Significance.** The proposed historic resource:
 - (i) Is associated historically with the life or activities of a person, group, organization or institution that has made a significant contribution to the local community; or
 - (ii) Is associated with events that have made a significant contribution to the broad patterns of local history; or
 - (iii) Has yielded, or may be likely to yield, important information concerning prehistory or history.
 - (C) **Architectural Significance.** The proposed historic resource:
 - (i) Is significant as an example of a particular architectural style, building type, structural type, or method of construction; or
 - (ii) Is the work of an acknowledged master or architect, or possesses high artistic values.
 - (3) **Integrity.** The proposed historic resource retains sufficient original design characteristics, craft work, or material to serve as an example of an architectural period, significant building type or structural type, or recognized architectural style.
- (f) Owner Consent.** A property owner may refuse to consent to local historic resource designation at any point during the designation process. A refusal to consent shall remove the property from consideration for local historic resource designation. No permit for the demolition or modification of property removed from consideration for local historic resource designation shall be issued for one hundred and twenty days following the date of the property owner's refusal to consent to local historic resource designation. (Ord No. 34-10)

230.015. Removal of Local Historic Resource Designation.

- (a) **Applicability.** Buildings, structures, sites, or objects may have local historic resource designation removed, as provided in this section.
- (b) **Classes.**
 - (1) "Class 1" historic resource designation removal is the removal of a local historic resource designation applied prior to September 9, 1995.
 - (2) "Class 2" historic resource designation removal is the removal of a local historic resource designation applied subsequent to September 9, 1995.
- (c) **Procedure Type.**
 - (1) Class 1 historic resource designation removal is processed as a Type I procedure under SRC Chapter 300.
 - (2) Class 2 historic resource designation removal is processed as a Type IV procedure under SRC Chapter 300.
- (d) **Standing to Initiate Removal.**
 - (1) Removal of local historic resource designation may be initiated by the following:
 - (A) The City Council;
 - (B) The Historic Landmarks Commission; or
 - (C) The owner of the local historic resource.
- (e) **Submittal Requirements.** In addition to the submittal requirements for a Type I application under SRC Chapter 300, an application for removal of local historic resource designation shall include:
 - (1) Narrative description of the resource proposed for delisting including:
 - (A) Significant features of the site covered by the designation; and
 - (B) An evaluation of the current integrity of the resource including an assessment of the amount of remaining original design characteristics, craft work and material.
 - (2) Site plan;
 - (3) Current photographs of all elevations of the building or structure and any significant feature;
 - (4) Documentation demonstrating that the owner objected to the original designation if applicable;
 - (5) Any other documentation demonstrating that the resource proposed for delisting no longer meets the requirements of SRC 230.010 (d).
- (f) **Criteria.** An application for removal of local historic resource designation shall be granted if the following criteria are met:
 - (1) For a Class 2 historic resource designation removal, the property no longer meets the criteria for local historic resource designation under SRC 230.010 (d).
 - (2) For a Class 1 historic resource designation removal:
 - (A) The local historic resource designation that was imposed on the property by the City over the owner's objections; or
 - (B) The property no longer meets the criteria for local historic resource designation under SRC 230.010 (d). (Ord No. 34-10)

230.020. Historic Design Review.

- (a) **Applicability.** No exterior portion of a historic resource, non-contributing building, or new construction in a historic district shall be erected, altered, restored, moved or demolished until historic review approval has been granted, as provided in this section.
 - (1) Historic design review is required for the following:
 - (A) Remodeling or repair that would change, in any manner, the exterior of a historic resource or a building or structure in a historic district, but excluding painting.
 - (B) Moving a historic resource, or moving a building or structure into or out of a

historic district.

(C) Construction of a new building in a historic district.

(D) Alteration of, or addition to, a historic resource, or to a non-contributing building in a historic district.

(E) Construction of new walks, fences, parking facilities, and other features on the site of a historic resource, when adjacent to or within view of public right-of-way.

(F) Demolition of a historic resource.

(G) Streetscape improvements in historic districts.

(2) Historic design review is not required for the following:

(A) Ordinary maintenance or repair of any exterior architectural feature of a historic resource or non-contributing building in a historic district to correct deterioration, decay, or damage, or to sustain the existing form. By way of illustration, but not of limitation, ordinary maintenance and repair includes replacement of cracked or broken window panes; surface treatment that is consistent with accepted historic preservation methods; replacement of broken hardware; repair of a portion of a window frame or sash, part of a roof or a small percentage of siding.

(B) Change in paint color of a historic resource or a non-contributing building in a historic district.

(C) Work conducted entirely within the interior of a historic resource or non-contributing building in a historic district which has no effect on exterior architectural features.

(3) Buildings Partially Within and Partially Without Historic Districts. Where addition or alteration to the exterior of a historic contributing resource or non-contributing building in a historic district, or construction of a new building in a historic district, will occur partially inside and partially outside of the district boundaries, historic design review is required for that portion of the building that is within the district and, if the majority of the area of the building is inside the historic district, for that portion of the building that is not within the historic district.

(4) Relationship to Other Land Use Reviews. Projects that require historic design review may also require other land use reviews. If other land use reviews are requirements for development, such reviews shall be held prior to or concurrently with historic design review.

(b) Objectives. The standards in this chapter shall be construed to do the following:

(1) Historic Contributing Buildings and Individually Listed Resources. Historic contributing buildings and individually listed resources are valuable community resources that contribute immeasurably to the City's identity, history, unique sense of place, and quality of life. Preserving these buildings and resources involves careful planning, conscientious maintenance and repair, knowledgeable and informed restoration, and sensitive rehabilitation that accommodates modern business and residential lifestyles. The standards set forth in this Chapter for historic contributing buildings and individually listed resources are intended to preserve and enhance the buildings, resources and districts generally, while allowing for adaptive reuse through sensitive rehabilitation of these buildings and resources.

(2) Non-Contributing Buildings. Some buildings and structures in a historic district are non-contributing. These buildings and structures typically do not contribute to the district's historic significance because they either date from outside the district's period of significance or their historic significance has been materially impaired by additions and alterations. The standards set forth in this Chapter for non-contributing buildings and structures do not require restoration to their original appearance or require imitation of the appearance of a historic contributing building or structure; rather, the objectives are two-fold. First, the objective for historic non-contributing is to return, when feasible, these buildings to a historic contributing state. Second, the objective for all non-contributing

buildings is to maintain the visual coherence of the historic district as a whole.

(3) New Construction. New buildings and structures will be built in historic districts. These new buildings and structures should enhance, rather than detract, from the overall character of the district. It is crucial that the existing harmony of proportions and materials be enhanced when new construction occurs. Therefore, the objective of the standards set forth in this Chapter for new construction is to ensure that the design and construction of new buildings and structures is consistent and compatible with the architectural styles of historic contributing buildings that are found in the district.

(c) Classes. Historic design review is either “Minor” or “Major.” Table 230-1 sets forth the activities that are Minor and Major Historic Design Review. Notwithstanding Table 230-1, any activity proposed that is not covered by the table or does not meet the specific standards set forth for historic contributing buildings in SRC 230.025 and SRC 230.040; or for non-contributing buildings and structures the standards set forth in SRC 230.030 and SRC 230.045 of this section requires Major Historic Design Review.

**TABLE 230-1
HISTORIC DESIGN REVIEW BY REVIEW CLASS**

| Table 230-1: Historic Design Review by Review Class | | | | | | |
|---|------------------------------|--------------------|--------------------------------|-------------------------|--------------------|--------------------------------|
| Activity Proposed | Review Class | | | | | |
| | Historic Contributing | | | Non-Contributing | | |
| | <i>Visible</i> | <i>Not Visible</i> | <i>Applicable Code Section</i> | <i>Visible</i> | <i>Not Visible</i> | <i>Applicable Code Section</i> |
| Residential Historic Districts | | | | | | |
| Alterations and Additions | Major | Minor | 230.025(g) | Major | Minor | 230.030(g) |
| Deck Replacement and Additions | Major | Minor | 230.025 (h) | Minor | N/A | 230.030 (h) |
| Door Replacement | Major | Minor | 230.065 230.025 (c) | Minor | N/A | 230.070 230.030 (c) |
| Door Replacement (<i>In-Kind</i>) | Minor | Minor | 230.025 (c) | Minor | N/A | 230.030 (c) |
| Fences | Major | Minor | 230.025 (j) | Minor | N/A | 230.030 (j) |
| New Accessory Structures | Major | Minor | 230.025 (i) | Major | Minor | 230.030 (i) |
| Porch Replacement | Major | Minor | 230.065 230.025 (d) | Minor | N/A | 230.070 230.030 (d) |
| Porch Replacement (<i>In-Kind</i>) | Minor | Minor | 230.025 (d) | Minor | N/A | 230.030 (d) |
| Restoration of Missing Features | Major | Minor | 230.025 (f) | Minor | N/A | 230.030 (f) |
| Retaining Walls | Major | Minor | 230.025 (k) | Minor | N/A | 230.030 (k) |
| Roof Replacement | Minor | Minor | 230.065 230.025 (e) | Minor | N/A | 230.070 230.030 (e) |
| Roof Replacement (<i>In-Kind</i>) | N/A | N/A | 230.025 (e) | N/A | N/A | 230.030 (e) |
| Siding, Exterior Trim and Minor Architectural Features Replacement | Major | Minor | 230.065 230.025 (a) | Minor | N/A | 230.070 230.030 (a) |
| Siding, Exterior Trim and Minor Architectural Features Replacement (<i>In-Kind</i>) | Minor | Minor | 230.025 (a) | Minor | N/A | 230.030 (a) |
| Site Features Replacement | Major | Minor | 230.065 230.025 (l) | Minor | N/A | 230.070 230.030 (l) |
| Site Features Replacement (<i>In-Kind</i>) | Minor | Minor | 230.025 (l) | Minor | N/A | 230.030 (l) |

Table 230-1: Historic Design Review by Review Class

| Activity Proposed | Review Class | | | | | |
|---|-----------------------|-------------|-------------------------|------------------|-------------|-------------------------|
| | Historic Contributing | | | Non-Contributing | | |
| | Visible | Not Visible | Applicable Code Section | Visible | Not Visible | Applicable Code Section |
| Streetscape | Minor | ----- | 230.075 | Minor | ----- | 230.075 |
| Window Replacement | Major | Minor | 230.065 230.025 (b) | Minor | N/A | 230.070 230.030 (b) |
| Window Replacement (<i>In-Kind</i>) | Minor | Minor | 230.025 (b) | Minor | N/A | 230.030 (b) |
| Commercial Historic Districts | | | | | | |
| Accessibility Alterations and Additions | Major | Minor | 230.040 (h) | Minor | N/A | 230.045 (h) |
| Alterations and Additions | Major | Minor | 230.040 (f) | Major | Minor | 230.045 (g) |
| Awnings and Canopies Replacement or Installation | Major | Minor | 230.040 (k) | Minor | Minor | 230.045 (k) |
| Awnings and Canopies Replacement or Installation (<i>In-Kind</i>) | Minor | Minor | 230.040 (k) | Minor | N/A | 230.045 (k) |
| Door Replacement | Major | Minor | 230.065 230.040 (c) | Minor | N/A | 230.070 230.045 (c) |
| Door Replacement (<i>In-Kind</i>) | Minor | Minor | 230.040 (c) | Minor | N/A | 230.045 (c) |
| Energy | Major | Minor | | Minor | N/A | |
| Lintels, Architraves, Sills, and other Architectural Details Replacement | Major | Minor | 230.065 230.040 (g) | Minor | N/A | 230.070 230.045 (f) |
| Lintels, Architraves, Sills, and other Architectural Details Replacement (<i>In-Kind</i>) | Minor | Minor | 230.040 (f) | Minor | N/A | 230.045 (g) |
| Masonry, Siding, and Exterior Trim Replacement | Major | Minor | 230.065 230.040 (a) | Minor | N/A | 230.070 230.045 (a) |
| Masonry, Siding, and Exterior Trim Replacement (<i>In-Kind</i>) | Minor | Minor | 230.040 (a) | Minor | N/A | 230.045 (a) |
| Mechanical Equipment and Service Areas Addition and Replacement | Major | Minor | 230.065 230.040 (i) | Minor | N/A | 230.070 230.045 (i) |
| Murals | Major | Minor | 230.055 | Major | N/A | 230.055 |
| Roof and Cornice Replacement | Major | Minor | 230.065 230.040 (e) | Minor | N/A | 230.070 230.045 (e) |
| Roof and Cornice Replacement (<i>In-Kind</i>) | N/A | N/A | 230.040 (e) | N/A | N/A | 230.045 (e) |
| Storefront, or Component of Storefront, Replacement | Major | Minor | 230.065 230.040 (d) | Minor | N/A | 230.070 230.045 (d) |
| Storefront, or Component of Storefront, Replacement (<i>In-Kind</i>) | Major | Minor | 230.040 (d) | Minor | N/A | 230.045 (d) |
| Streetscape | Minor | ----- | 230.075 | Minor | ----- | 230.075 |
| Window Replacement | Major | Minor | 230.065 230.040 (b) | Minor | N/A | 230.070 230.045 (b) |
| Window Replacement (<i>In-Kind</i>) | Minor | Minor | 230.040 (b) | Minor | N/A | 230.045 (b) |

Table 230-1: Historic Design Review by Review Class

| Activity Proposed | Review Class | | | | | |
|--|---|--------------------|--------------------------------|------------------|--------------------|--------------------------------|
| | Historic Contributing | | | Non-Contributing | | |
| | <i>Visible</i> | <i>Not Visible</i> | <i>Applicable Code Section</i> | <i>Visible</i> | <i>Not Visible</i> | <i>Applicable Code Section</i> |
| Public Historic Districts | | | | | | |
| Streetscape | Minor | ----- | 230.075 | Minor | ----- | 230.075 |
| Individually Listed Historic Resources | | | | | | |
| Any activity proposed | Follows review class for historic contributing buildings for the type of resource | | | | | |
| Activity Proposed <i>(New Construction)</i> | Review Class | | | | | |
| | <i>Visible</i> | <i>Not Visible</i> | <i>Applicable Code Section</i> | | | |
| Residential Historic Districts | Major | Major | 230.035 | | | |
| Commercial Historic Districts | Major | Major | 230.050 | | | |
| Public Historic Districts | Major | Major | 230.065 | | | |

(d) Procedure Type.

- (1) Minor Historic Design Review is processed as a Type I procedure under SRC Chapter 300.
- (2) Major Historic Design Review is processed as a Type III procedure under SRC Chapter 300.

(e) Additional Submittal Requirements.

- (1) In addition to the submittal requirements specified in SRC Chapter 300, an application for Minor Historic Design Review shall include the following:
 - (A) Plan and elevation drawings, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, of the existing building or structure and of the proposed changes, including materials;
 - (B) Photos of the existing building or structure; and
 - (C) Historic photos of the existing building or structure, if available.
- (2) In addition to the submittal requirements for a Type III application under SRC Chapter 300, an application for Major Historic Design Review shall include the following:
 - (A) Plan and elevation drawings of the existing building or structure and of the proposed changes, including materials;
 - (B) Photos of the existing building or structure;
 - (C) Historic photos, if available; and
 - (D) Plan and elevation drawings of adjacent properties, or photo-simulation, for additions that increase the gross square footage of the structure by more than fifty percent, or new construction in a historic district.

(f) Criteria. Historic design review approval shall be granted if the application satisfied the applicable standards set forth in this Chapter. (Ord No. 34-10)

230.025. Standards for Historic Contributing Buildings in Residential Historic Districts.

Modifications to historic contributing buildings in residential historic districts shall comply with this section.

(a) Siding, Exterior Trim and Minor Architectural Features. Replacement of siding, exterior trim, and minor architectural features of historic contributing buildings shall be allowed only where the owner has attempted to repair the original siding, exterior trim or minor architectural feature, but repair was determined to be unfeasible due to poor condition of the original materials. If the trim or siding is not original then every effort shall be made to replicate the original trim or siding; the effort shall be substantiated by historic, physical, or pictorial evidence. If the trim and siding cannot be replicated then it should be of a compatible design and material.

(1) Materials. The replacement materials are the same type and quality as the original siding, exterior trim or minor architectural feature, or duplicate, to the greatest degree possible, the appearance and structural qualities of the material being replaced.

(2) Design. The replacement reproduces the appearance of the original siding, exterior trim or minor architectural feature.

(3) Energy Efficiency. Improvements to improve energy efficiency are allowed, provided the exterior appearance of the historic resource is preserved to the greatest extent possible.

Example: Adding additional insulation to attics, crawl spaces or basements.

(b) Windows. Replacement of windows in historic contributing buildings shall be allowed only where the owner has attempted to repair the original window, but repair was not feasible due to the poor condition of the original materials. If the window is not original then every effort shall be made to replicate the original window; the effort shall be substantiated by historic, physical, or pictorial evidence. If the window cannot be replicated then it should be of a compatible design and material.

(1) Materials. All features of the window, including the window frame, sash, stiles, rails, muntins, lamb's tongues and glass, are replaced with materials that duplicate, to the greatest degree possible, the appearance and structural qualities of the original.

(2) Design. Overall design of the window profile of all parts of the window shall reproduce the appearance of the original window.

(3) Improvements to Create Energy Efficiency.

(A) The use of weather stripping, insulation, or materials to either repair or improve the energy efficiency of shall be evaluated as means to achieve the desired energy efficiency objectives prior to seeking authorization to replace a window.

(B) If an owner wishes to improve the energy efficiency of windows located on the primary façade, only energy efficiency measures that are removable and do not permanently alter the resource, including, but not limited to, exterior storm windows and weather-stripping, shall be used on the primary façade.

(C) If an owner wishes to improve the energy efficiency of windows located on a façade other than the primary façade, measures that are removable and do not permanently alter the resource, including, but not limited to, exterior storm windows and weather-stripping, shall be used. Reuse of the original window frame and sash with replacement by glass that maintains the overall design and appearance of the window is allowed. Example: Replacement of single pane glass with new energy efficient double-paned glass is permissible, so long as the window is in satisfactory condition, muntins are wide enough to hold the double-paned glass, the double paned glass can be inserted into the original window sash, there are only minor alterations to the overall design of the window, and the double-paned glass is not visibly tinted or reflective.

(c) Doors. Replacement of doors in historic contributing buildings shall be allowed only where the owner has attempted to repair the original door, but repair was not feasible due to the poor

condition of the original materials. If the doors are not original then every effort shall be made to replicate the original doors; the effort shall be substantiated by historic, physical, or pictorial evidence. If the door cannot be replicated then it should be of a compatible design and material.

(1) **Materials.** All features of the door shall be replaced with material that duplicate, to the greatest degree possible, the appearance and structural qualities of the original door.

(2) **Design.** The overall design of the door shall reproduce, to the greatest degree possible, the appearance of the original door.

(d) **Porches.** Replacement of porches on historic contributing buildings shall be allowed only where the owner has attempted to repair the original porch, but repair was not feasible due to the poor condition of the original materials. If the porch is not original then every effort shall be made to replicate the original porch; the effort shall be substantiated by historic, physical, or pictorial evidence. If the porch cannot be replicated then it should be of a compatible design and material.

(1) **Materials.** All features of the porch shall be replaced with material that duplicate, to the greatest degree possible, the appearance and structural qualities of the original porch.

(2) **Design.** The overall design of the porch shall reproduce, to the greatest degree possible, the appearance of the original porch.

(e) **Roofs.** Replacement of roofs on historic contributing buildings shall be allowed only where the owner has attempted to repair the original roof, but repair was not feasible due to the poor condition of the original materials.

(1) **Materials.**

(A) Historic specialty roofing materials, such as original tile, slate, or rolled composition roofing should be maintained in place whenever possible.

(B) New roof materials should match the original materials in scale and texture as closely as possible. Use of plastic or concrete simulated materials is not allowed.

(C) Composition roofing is allowed as a substitute for wood shingles in a complete replacement.

(D) Imitation slate and wood are allowed as a substitute for original materials in a complete replacement.

(2) **Design.**

(A) The original roof form and detailing shall be preserved.

(B) Original eave overhangs shall be maintained.

(C) Cutting back roof rafters and soffits, boxing in exposed rafter tails, adding fascia boards where none existed, or otherwise altering the historical roof overhang is not allowed.

(D) To the extent feasible, inappropriate repairs or additions should be removed or corrected.

(3) **Solar Panels, Rooftop Mechanical Devices, and Skylights.** Solar panels and other rooftop mechanical structures may be added to historic contributing buildings.

(A) **Materials.**

(i) Non-reflective glass and metal panels are allowed.

(ii) Reflective glass and plastic frames are prohibited.

(B) **Design.**

(i) Solar panels shall not alter the existing profile of the roof, and shall be mounted parallel to the roof plane on rear-facing roofs or placed on the ground in an inconspicuous location.

(ii) Satellite dishes, TV antennae and other rooftop mechanical structures shall be installed so they are not visible from the street and do not damage or obscure significant architectural features of the resource.

(iii) Skylights shall be flat and shall not alter the existing profile of the roof.
Bubble-type skylights are prohibited.

(f) **Missing Features.** Features that were present on a historic contributing building during the period of significance but which were later removed may be reconstructed.

(1) **Materials.** Materials used in the replacement shall match as closely as practicable the composition, design, texture, and other visual qualities of the materials of the missing feature.

(2) **Design.** The design accurately duplicates the missing feature. The design shall be substantiated by historic, physical, or pictorial evidence. Evidence does not include conjectural designs, or the appearance of features or different elements from other buildings or structures built during the period of significance.

(g) **Alterations and Additions.** Additions to and alterations of the historic contributing building is allowed.

(1) **Materials.** Materials for alterations or additions:

(A) Building materials shall be of traditional dimensions.

(B) Material shall be of the same type, quality and finish as original material in the building.

(C) New masonry added to a building shall, to the greatest extent feasible, match the color, texture and bonding pattern of the original masonry.

(D) For those areas where original material must be disturbed, original material shall be retained to the maximum extent possible.

(2) **Design.** Alterations or additions shall:

(A) Be located at the rear, or on an inconspicuous side, of the building.

(B) Be designed and constructed to minimize changes to the building.

(C) Be limited in size and scale such that a harmonious relationship is created in relationship to the original building.

(D) Be designed and constructed in a manner that significant historical, architectural or cultural features of the building are not obscured, damaged, or destroyed.

(E) Be designed to be compatible with the size, scale, material, and character of the building, and the district generally.

(F) Not destroy or adversely impact existing distinctive materials, features, finishes and construction techniques or examples of craftsmanship that are part of the building

(G) Be constructed with the least possible loss of historic materials.

(H) Not create a false sense of historical development by including features that would appear to have been part of the building during the period of significance but whose existence is not supported by historical evidence shall not be added to the building.

(I) Be designed in a manner that makes it clear what is original to the building, and what is new.

(J) Be designed to reflect, but not replicate, the architectural styles of the period of significance.

(K) Preserve features of the building that has occurred over time and has attained significance in its own right.

(L) Preserve distinguishing original qualities of the building and its site.

(h) **Decks.** Replacement and addition of decks in historic contributing buildings is allowed.

(1) **Materials.** The deck shall be constructed of wood, a wood composite, or a material available during the period of significance.

(2) **Design.** The deck shall:

(A) Be located off the rear of the resource.

(B) Not obscure any significant architectural features of the resource.

(C) Be of a reasonable size and scale in relationship to the resource.

- (D) Shall not extend beyond the width of the existing footprint of the resource.
 - (i) **New Accessory Structures.** New accessory structures may be built on the site of historic contributing buildings.
 - (1) **Materials.** New accessory structures shall have the same siding material as the resource on the site.
 - (2) **Design.** New accessory structures shall:
 - (A) Be located at the rear of the site.
 - (B) Be no taller than one story.
 - (C) Be similar in character to those built during the period of significance.
 - (D) Be subordinate to the primary structure in terms of mass, size, and height.
- (j) **Fences.** Fences may be added to sites of historic contributing buildings, provided the fence will not result in the removal or destruction of site features identified as significant on the historic resource inventory for the district.
 - (1) **Materials.** The fence shall be constructed of traditional materials that were available during the period of significance.
 - (2) **Design.** Fences shall be no taller than four feet in the front yard and no taller than six feet in side and rear yards.
- (k) **Retaining Walls.** Retaining walls may be added to sites of historic contributing buildings, provided the retaining wall will not result in the removal or destruction of site features identified as significant on the historic resource inventory for the district.
 - (1) **Materials.** The retaining wall shall be constructed of traditional materials that were available during the period of significance. Example: If the period of significance is 1920-1940 the materials that were available included, but were not limited to, rusticated stone, formed concrete, poured concrete, and brick.
 - (2) **Design.** Retaining walls shall be no taller than two feet in the front and four feet on the side and rear yard.
- (l) **Site Features.** Replacement or alteration of site features of a historic contributing building that are identified as significant features on the historic resource inventory for the district, including, but not limited to, driveways, sidewalks, gardens, significant trees, or geological features is allowed, unless the replacement or alteration would materially alter or destroy the features.
 - (1) **Materials.** Materials shall duplicate, to the greatest degree possible, the appearance and physical qualities of the original materials. Example: Rhododendron hedge planted during the period of significance is replanted with heritage varieties available during the period of significance.
 - (2) **Design.** The design shall reproduce, to the greatest extent possible, the appearance of the original site feature. Example: If the site contains a Lord and Schryver garden, the replacements shall be allowed provided the original design and location of plantings of the historical garden are retained. (Ord No. 34-10)

230.030. Standards for Non-Contributing Buildings and Structures in Residential Historic Districts.

Modifications to non-contributing buildings in residential historic districts shall comply with this section.

- (a) **Siding, Exterior Trim and Minor Architectural Features.** Replacement of siding, exterior trim and minor architectural features of non-contributing buildings in residential historic districts is allowed.
 - (1) **Materials.**
 - (A) Building materials shall be of traditional dimensions.
 - (B) Replacement materials shall duplicate, to the greatest degree possible, appearance and structural qualities that are consistent with building materials on buildings in the district.

- (C) Wood lap, shingles, brick, and stone are appropriate materials.
 - (D) Alternative materials shall appear similar in scale, proportion, texture and finish with buildings in the district.
- (2) **Design.**
- (A) Elements should be similar in dimension, design, and pattern to those used on buildings in the district.
 - (B) Extensive use of glass, polished or galvanized metal or other highly-reflective material as a primary exterior finish is not allowed.
 - (C) Ornamental details shall be minimized.
 - (D) Use architectural detail that is generally seen in the district.
- (3) **Improvements to Create Energy Efficiency.** If an owner wishes to improve the energy efficiency of a non-contributing building, the exterior appearance shall be preserved to the greatest degree possible. Example: Adding additional insulation to attics, crawl spaces or basements.
- (b) **Windows.** Replacement of windows in non-contributing buildings is allowed.
- (1) **Materials.** The replacement window shall be constructed with materials that duplicate, to the greatest degree possible, an appearance and structural qualities consistent with windows in buildings in the district.
- (2) **Design.**
- (A) Window openings shall maintain a similar size to the existing windows in the building.
 - (B) Window styles and types shall be similar to the styles and types of buildings in the district.
 - (C) Windows should be simple in shape, arrangement, and detail.
 - (D) Windows shall be finished with trim elements in a manner consistent with buildings in the district.
 - (E) The number of different window styles in the building shall be limited.
- (3) **Improvements to Create Energy Efficiency.**
- (A) The use of weather stripping, insulation, or materials to either repair or improve the energy efficiency of shall be evaluated as means to achieve the desired energy efficiency objectives prior to seeking authorization to replace a window.
 - (B) If an owner wishes to improve the energy efficiency of windows located on the primary façade, only energy efficiency measures shall that are removable and do not permanently alter the resource, including, but not limited to, exterior storm windows and weather-stripping shall be used on the primary façade.
 - (C) If an owner wishes to improve the energy efficiency of windows located on other than the primary façade, measures that are removable and do not permanently alter the resource, including, but not limited to, exterior storm windows and weather-stripping, and to reuse the original window frame and sash with replacement by energy efficient glass that maintains the overall design and appearance of the window are allowed. Example: Replacement of single pane glass with new energy efficient double-paned glass is permissible, so long as the window is in satisfactory condition, muntins are wide enough to hold the double-paned glass, the double paned glass can be inserted into the original window sash, there are only minor alterations to the overall design of the window, and the double-paned glass is not visibly tinted or reflective.
- (c) **Doors.** Replacement of doors in non-contributing buildings is allowed.
- (1) **Materials.** The replacement door shall be constructed with materials that duplicate, to the greatest degree possible, the appearance and structural qualities consistent with doors in buildings in the district.

- (2) **Design.**
 - (A) Door openings shall maintain a similar size to the existing doors in the building.
 - (B) Door styles and types shall be similar to the styles and types of buildings in the district.
 - (C) Doors should be simple in shape, arrangement, and detail.
 - (D) Door shall be finished with trim elements in a manner consistent with buildings in the district.
 - (E) The number of different door styles in the building shall be limited.
- (d) **Porches.** Replacement of porches in non-contributing buildings is allowed.
 - (1) **Materials.**
 - (A) Building materials shall be of traditional dimensions.
 - (B) Replacement materials shall duplicate, to the greatest degree possible, appearance and structural qualities that are consistent with building materials on buildings in the district.
 - (C) Wood lap, shingles, brick, and stone are appropriate materials.
 - (D) Alternative materials shall appear similar in scale, proportion, texture and finish with buildings in the district.
 - (2) **Design.** The design should be similar in dimension, style, pattern and detail to porches on buildings in the district.
- (e) **Roofs.** Replacement of roofs on non-contributing buildings is allowed.
 - (1) **Materials.**
 - (A) Replacement materials shall be of traditional dimensions.
 - (B) Replacement materials shall duplicate, to the greatest degree possible, appearance and structural qualities that are consistent with building materials on buildings in the district.
 - (C) Replacement materials shall have a non-reflective, matte finish.
 - (2) **Design.** The design should be similar in dimension, style, pattern and detail to roofs on buildings in the district.
 - (3) **Solar Panels, Rooftop Mechanical Devices, and Skylights.** Solar panels and other rooftop mechanical structures may be added to non-contributing buildings.
 - (A) **Materials.**
 - (i) Non-reflective glass and metal panels are allowed.
 - (ii) Reflective glass and plastic frames are prohibited.
 - (B) **Design.**
 - (i) Solar panels shall not alter the existing profile of the roof, and shall be mounted flush on rear-facing roofs or placed on the ground in an inconspicuous location.
 - (ii) Satellite dishes, TV antennae and other rooftop mechanical structures shall be installed so they are not visible from the street and do not damage or obscure significant architectural features of the resource.
 - (iii) Skylights shall be flat and shall not alter the existing profile of the roof. Bubble-type skylights are prohibited.
- (f) **Restoration of Missing Features.** Features present on a historic non-contributing building that were removed after the period of significance may be reconstructed, subject to the following standards:
 - (1) **Materials.** Materials used in the replacement shall match as closely as practicable the composition, design, texture, and other visual qualities of the materials of the missing feature.
 - (2) **Design.** The design shall accurately duplicate the missing feature. The design of the missing feature shall be substantiated by historic, physical, or pictorial evidence. Evidence does not include conjectural designs, or the appearance of features or different elements

from other buildings or structures built during the period of significance.

(g) Alterations and Additions. Additions and alterations that comply with the standards in this section may be made to non-contributing buildings. Whenever practical, additions and alterations to historic non-contributing buildings should result in the restoration of missing features from the period of significance, or the removal of alterations that were made outside of the period of significance.

(1) Materials.

(A) Materials shall be consistent with those present on buildings in the district generally.

(B) Roofing materials shall have a non-reflective, matte finish.

(2) Design.

(A) The location for an addition shall be at the rear, or on an inconspicuous side, of the building.

(B) Changes to features of the building that date from the period of significance shall be minimized.

(C) The design shall be compatible with general character of historic contributing buildings in the historic district and create a harmonious relationship with historic contributing buildings in the district generally. Factors in evaluating the design under this paragraph include, but are not limited to:

(i) Similarities in the size and scale to those used in historic contributing buildings in the district generally.

(ii) Use of architectural features that reflect, or are similar to, the architectural style of historic contributing buildings in the district.

(iii) Simple gable or hipped roofs with a pitch similar to surrounding buildings are generally appropriate. Flat roofs may be appropriate when the prevailing styles of architecture provide an appropriate context. Exotic or complex roof forms that detract from the visual continuity of the district are generally inappropriate.

(iv) Additions should have a similar mass to surrounding buildings.

(v) Front elevations should appear similar in scale to those seen traditionally in the surrounding neighborhood.

(vi) The width and height of the addition should not exceed the typical dimensions seen in the district.

(vii) Simple rectangular building forms are generally preferred.

(D) The design shall make clear what is original and what is new.

(E) Features that have been added over time and have attained significance in their own right shall be preserved, even if the features do not reflect the period of significance.

(h) Decks. Decks may be added to non-contributing buildings, subject to the following standards:

(1) Materials. The deck shall be constructed of wood, a wood composite, or a material available during the period of significance.

(2) Design.

(A) The deck shall be located off the rear of the building and shall not extend beyond the width of the existing footprint of the building.

(B) The deck shall be of a reasonable size and scale in relationship to the building.

(i) New Accessory Structures. New accessory structures may be built on the site of non-contributing buildings, subject to the following standards:

(1) Materials.

(A) Building materials shall be of traditional dimensions.

(B) Siding material shall consistent with those present in buildings in the district generally.

- (2) **Design.**
 - (A) The accessory structure shall be located at the rear of the lot or parcel.
 - (B) The accessory structure shall be no taller than one story.
 - (C) The accessory structure shall be of a reasonable size and scale in relationship to the building.
- (j) **Fences.** Fences may be added to sites of non-contributing buildings, provided the fence will not result in the removal or destruction of site features identified as significant on the historic resource inventory for the district.
 - (1) **Materials.** Fences shall be constructed of traditional materials available during the period of significance.
 - (2) **Design.** Fences shall be no taller than four feet in the front yard and no taller than six feet in side and rear yards.
- (k) **Retaining Walls.** Retaining walls may be added to sites of non-contributing buildings, provided the retaining wall will not result in the removal or destruction of site features identified as significant on the historic resource inventory for the district.
 - (1) **Materials.** The retaining wall shall be constructed of traditional materials that were available during the period of significance. Example: If the period of significance is 1920-1940 the materials that were available included, but were not limited to, rusticated stone, formed concrete, poured concrete, and brick.
 - (2) **Design.** Retaining walls shall be no taller than two feet in the front and four feet on the side and rear yard.

230.035. Standards for New Construction in Residential Historic Districts. New buildings may be constructed in residential historic districts, subject to the following standards:

- (a) **Materials.** Materials shall be similar in scale, proportion, texture, and finish to those found on nearby historic structures.
- (b) **Design.**
 - (1) The design shall be compatible with general character of historic contributing buildings in the historic district. Factors in evaluating compatibility include, but are not limited to:
 - (A) The height, width, proportions, size and scale is consistent with those used in similar historic contributing buildings in the district generally.
 - (B) The new building is similar in size and scale to other buildings in the district such that a harmonious relationship is created in relationship.
 - (C) The design reflects, but does not replicate, the architectural style of historic contributing buildings in the district.
 - (D) Architectural elements are used that are similar to those found on historic contributing buildings in the district.
 - (E) Architectural elements such as porches, dormers, doors and windows reflect the spacing, placement, scale, orientation and proportion of buildings in the district.
 - (F) The front façade is designed with human-scaled proportions that are compatible with adjacent buildings and the district as a whole.
 - (G) The building uses similar setbacks, orientation on the site, spacing and distance from adjacent buildings that is found on buildings in the immediate vicinity and the district as a whole.
 - (H) Manufactured dwelling units are prohibited.
 - (2) New buildings shall be designed so that the overall character of the site, including, but not limited to, its topography, special geologic features and trees are retained.
- (c) **Accessory Structures.** Accessory structures may be built on the site of new construction.
 - (1) **Materials.**
 - (A) Building materials shall be of traditional dimensions.

- (B) Siding material shall be consistent with those present in buildings in the district generally.
- (2) **Design.**
 - (A) The accessory structure shall be located at the rear of the lot or parcel.
 - (B) The accessory structure shall be no taller than one story.
 - (C) The accessory structure shall be of a reasonable size and scale in relationship to the building.
- (d) **Fences.** Fences may be included in new construction.
 - (1) **Materials.** Fences shall be constructed of traditional materials available during the period of significance.
 - (2) **Design.** Fences shall be no taller than four feet in the front yard and no taller than six feet in side and rear yards.
- (e) **Retaining Walls.** Retaining walls may be included in new construction, provided the retaining wall will not result in the removal or destruction of site features identified as significant on the historic resource inventory for the district.
 - (1) **Materials.** The retaining wall shall be constructed of traditional materials that were available during the period of significance. Example: If the period of significance is 1920-1940 the materials that were available included, but were not limited to, rusticated stone, formed concrete, poured concrete, and brick.
 - (2) **Design.** Retaining walls shall be no taller than two feet in the front and four feet on the side and rear yard.
- (f) **Solar Panels, Rooftop Mechanical Devices, and Skylights.** Solar panels and other rooftop mechanical structures may be included in new construction.
 - (1) **Materials.**
 - (A) Non-reflective glass and metal panels are allowed.
 - (B) Reflective glass and plastic frames are prohibited.
 - (2) **Design.**
 - (A) Solar panels shall not alter the existing profile of the roof, and shall be mounted flush on rear-facing roofs or placed on the ground in an inconspicuous location.
 - (B) Satellite dishes, TV antennae and other rooftop mechanical structures shall be installed so they are not visible from the street and do not damage or obscure significant architectural feature of the resource.
 - (C) Skylights shall be flat and shall not alter the existing profile of the roof. Bubble-type skylights are prohibited. (Ord No. 34-10)

230.040. Standards for Historic Contributing Buildings in Commercial Historic Districts.

Modifications to historic contributing buildings in commercial historic districts shall comply with this section.

- (a) **Masonry, Siding and Exterior Trim.** Replacement of masonry, siding, and exterior trim of historic contributing buildings shall be allowed only where the owner has attempted repair, but repair was unfeasible due to poor condition of the materials. If the masonry, siding or trim is not original then every effort shall be made to replicate the original feature; the effort shall be substantiated by historic, physical, or pictorial evidence. If the feature cannot be replicated then it should be of a compatible design and material.
 - (1) **Materials.**
 - (A) Original material shall, if possible, be retained or repaired.
 - (B) Replacement materials shall be, to the greatest degree possible, of the same type, quality, design, size, finish, proportions, and configuration of the original materials.
 - (2) **Design.**
 - (A) New materials added to a building shall, to the greatest degree possible, match the

color, texture and bonding pattern of the original masonry.

(B) When repointing brick or masonry, the joint size, profile, color, strength, porosity and permeability of the original mortar should be matched.

(C) Unpainted masonry should not be painted or sealed.

(D) Paint should not be removed from brick unless testing demonstrates that no damage to the brick will result.

(E) The original appearance of the original materials shall be retained, including early signage, whenever possible.

(b) **Windows.** Replacement of windows in historic contributing buildings shall be allowed only where the owner has attempted repair, but repair unfeasible due to poor condition of the materials. If the window is not original then every effort shall be made to replicate the original feature; the effort shall be substantiated by historic, physical, or pictorial evidence. If the feature cannot be replicated then it should be of a compatible design and material.

(1) **Materials.**

(A) Original material shall, if possible, be retained or repaired.

(B) Replacement materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions, and configuration of the original materials in the windows.

(C) Glass block or tinted, mirrored, opaque, or colored glass is not permitted, unless it is the historic glazing type.

(2) **Design.**

(A) A replacement window shall, to the greatest extent feasible, match design, size, proportions, configuration, reflective qualities, and profile of the original window.

(B) The size and shape of original window openings should be preserved so that the configuration of the façade is not changed.

(C) New window openings into the principal elevations, enlargement or reduction of original window openings and infill of original window openings are not permitted.

(D) Original openings that have been covered or blocked should be re-opened when feasible.

(E) Windows historically used on upper levels shall not be installed at storefront level, and storefront windows shall not be installed on upper levels.

(F) Commercial window types shall not be substituted with residential window types.

(G) Interior grilles, grilles between layers of insulating glass, or stenciled mullions in lieu of true divided lights or exterior mullions are not permitted.

(c) **Doors.** Replacement of doors in historic contributing buildings shall be allowed only where the owner has attempted repair, but repair was determined to be unfeasible due to poor condition of the materials. If the doors are not original then every effort shall be made to replicate the original feature; the effort shall be substantiated by historic, physical, or pictorial evidence. If the feature cannot be replicated then it should be of a compatible design and material.

(1) **Materials.**

(A) Original material shall, if possible, be retained or repaired.

(B) Replacement materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions, and configuration of the original materials in the door.

(2) **Design.**

(A) The replacement door shall, to the greatest extent feasible, match design, size, proportions, and profile of the original door.

(B) The size and shape of original door openings should be preserved so that the configuration of the façade is not changed.

(C) Original door openings that have been covered or blocked should be re-opened when feasible.

(D) Commercial door types shall not be substituted with residential door types.

(d) **Storefronts.** Replacement of storefronts or components of storefronts in historic contributing buildings shall be allowed only where the owner has attempted repair, but repair was determined to be unfeasible due to poor condition of the materials. If the storefront is not original then every effort shall be made to replicate the original feature; the effort shall be substantiated by historic, physical, or pictorial evidence. If the feature cannot be replicated then it should be of a compatible design and material.

(1) **Materials.**

(A) Original material shall, if possible, be retained or repaired.

(B) Replacement materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions, and configuration of the original materials in the storefront.

(2) **Design.**

(A) To the extent practicable, original storefront components such as windows, door configuration, transoms, signage, and decorative features shall be preserved.

(B) Where the original storefront is too deteriorated to save, the commercial character of the building shall be retained through:

(i) A restoration of the storefront based on historical research and physical evidence.

(ii) Contemporary design that is compatible with the scale, design, materials, color and texture of historic compatible buildings in the district.

(C) For buildings that provide a separate upper-story entrance on the exterior façade, the street-level entrance should be the primary focus of the building façade.

(e) **Roofs and Cornices.** Replacement of roofs and cornices on historic contributing buildings is allowed.

(1) **Materials.**

(A) Historic specialty materials, such as original tile, slate, or rolled composition roofing visible from the street should be maintained in place whenever possible.

(B) New roof materials that are visible from the street should match the original materials in type, quality, size, finish, proportions, scale, texture and configuration as closely as possible. Plastic or concrete simulated materials are not allowed. Imitation slate and imitation wood are allowed as a substitute for original materials in a complete replacement.

(2) **Design.**

(A) The original roof and cornice form and detailing shall be preserved.

(B) Original eave overhangs shall be maintained.

(C) Cutting back roof rafters and soffits, boxing in exposed rafter tails, adding fascia boards where none existed, or otherwise altering the historical roof overhang is not allowed.

(D) To the extent practical, inappropriate repairs or additions should be removed or corrected.

(f) **Alterations and Additions.** Additions to, or alterations of, the historic contributing building may be made to accommodate uses other than the originally intended purpose.

(1) **Materials.** Materials for alterations or additions shall:

(A) Building materials shall be of traditional dimensions.

(B) Material shall be of the same type, quality and finish as original material in the building.

(C) New masonry added to a building shall, to the greatest degree possible, match the

color, texture and bonding pattern of the original masonry.

(D) For those areas where original material must be disturbed, original material shall be retained to the maximum extent possible.

(2) Design. Alterations or additions shall:

(A) Additions shall be located at the rear, or on an inconspicuous side, of the building.

(B) Be designed and constructed to minimize changes to the building.

(C) Be limited in size and scale such that a harmonious relationship is created in relationship to the original building.

(D) Be designed and constructed in a manner that significant historical, architectural or cultural features of the building are not obscured, damaged, or destroyed.

(E) Be designed to be compatible with the size, scale, material, and character of the building, and the district generally.

(F) Not destroy or adversely impact existing distinctive materials, features, finishes and construction techniques or examples of craftsmanship that are part of the building.

(G) Be constructed with the least possible loss of historic materials

(H) Not create a false sense of historical development by including features that would appear to have been part of the building during the period of significance but whose existence is not supported by historical evidence.

(I) Be designed in a manner that makes it clear what is original to the building and what is new.

(J) Be designed to reflect, but not replicate, the architectural styles of the period of significance.

(K) Preserve features of the building that has occurred over time and has attained significance in its own right.

(L) Preserve distinguishing original qualities of the building and its site.

(M) Not increase the height of a building to more than four stories.

(g) Lintels, Architraves, Sills, and other Architectural Details. Replacement of lintels, architraves, sills and other architectural details in historic contributing buildings shall be allowed only where the owner has attempted repair, but repair was unfeasible due to poor condition of the original materials. If the feature is not original then every effort shall be made to replicate the original feature; the effort shall be substantiated by historic, physical, or pictorial evidence. If the feature cannot be replicated then it should be of a compatible design and material.

(1) Materials.

(A) Existing architectural details shall be retained.

(B) Original material shall, if possible, be retained or repaired.

(C) If replacement material is required, similar material shall be used.

(2) Design.

(A) The replacement shall, to the greatest extent feasible, match design, size, proportions, and profile of the original architectural details.

(B) Architectural details should not be added unless there is archival evidence suggesting their presence and design.

(h) Accessibility. Additions or alterations to improve accessibility are allowed.

(1) Materials. Materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions and configuration of the original materials in the building.

(2) Design.

(A) Design additions or alterations to improve accessibility in a manner that identifies the building's character-defining spaces and features and prevents their damage or loss.

(B) Additions and alterations to improve accessibility should be designed in a manner that is compatible with the building and its setting.

(i) Energy. Retrofitting historic contributing buildings to achieve energy efficiency is permitted, if the retrofitting preserves the building's historic character.

(1) Materials.

(A) Materials shall be of a type and quality that will not result in degradation of original material in the resource. Example: Addition of insulation to exterior walls should not negatively affect the function of the wall assembly.

(B) The materials for any retro-fitted architectural elements, including, but not limited to, windows and doors shall comply with the standards for materials for such elements set forth in this section.

(2) Design.

(A) To the extent practicable, original systems to control ventilation, such as double hung, transom windows and awnings, shall be preserved.

(B) Before seeking to replace windows or doors, improve thermal efficiency through weather stripping, storm windows, interior shades, blinds and awnings.

(C) The designs of any retro-fitted architectural elements, including, but not limited to, windows and doors shall comply with the standards for replacement of such elements set forth in this section.

(D) Retrofitting shall be designed in a manner that prevents loss of original material or architectural elements.

(j) Mechanical Equipment and Service Areas. Addition and replacement of mechanical equipment, including, but not limited to heating and cooling systems, solar panels and telecommunications equipment, and service areas including, but not limited to dumpster enclosures, is permitted.

(1) Materials. Materials shall be harmonious in type, color, scale, texture, and proportions with the building and the district generally.

(2) Design.

(A) Mechanical equipment and service areas should be located out of public view and designed as an integral part of the overall building design.

(B) Mechanical equipment and service areas should be placed at the rear of the building, recessed on the roof of the building, or screened by appropriate fencing.

(C) Low-profile mechanical units and elevator shafts may be placed on rooftops if they are not visible from the street, or set back and screened from view.

(D) Solar panels should have low profiles and not be visible from right-of-way, other than alleys, and shall be installed in a manner that minimizes damage to historic materials.

(E) Skylights shall be flat and shall not alter the existing profile of the roof. Bubble-type skylights are prohibited.

(F) Mechanical equipment placed at street level should be screened in a manner that is compatible with the streetscape and adjacent buildings.

(G) New skylights and vents shall be placed behind and below the parapet level.

(k) Awnings and Canopies. Replacement or installation of awnings and canopies on historic contributing buildings is allowed.

(1) Materials.

(A) Materials that are compatible with the character of the building's period and style shall be used.

(B) Canvas is an approved material for awnings and canopies.

(2) Design.

(A) Awnings shall be located within window openings, and below transoms.

(B) Umbrella-type awnings and non-historic forms are not permitted.

(C) Awnings shall be attached in such a manner that historic materials or features are

not damaged.

(D) Marquees may be used where compatible with the building and neighboring buildings.

(E) Awnings, canopies, or marquees shall not obscure significant architectural features on the building.

(F) Awnings, canopies, or marquees shall have size, scale and design that is compatible with the building and neighboring buildings. (Ord No. 34-10)

230.045. Standards for Non-Contributing Buildings and Structures in Commercial Historic Districts. Modifications to non-contributing buildings in commercial historic districts shall comply with this section.

(a) **Masonry, Siding and Exterior Trim.** Replacement of masonry, siding, and exterior trim of non-contributing buildings is allowed.

(1) **Materials.**

(A) For historic non-contributing buildings, material dating from the period of significance shall, if possible, be retained or repaired.

(B) Replacement materials shall be, to the greatest degree possible, of the same type, quality, design, size, finish, proportions, and configuration of the materials commonly used on other buildings in the district.

(2) **Design.**

(A) The design shall, to the greatest degree possible, match the color, texture and bonding pattern of the original materials.

(B) For historic non-contributing buildings the appearance of original materials that were used on the building during the period of significance shall be restored or reconstructed whenever possible.

(b) **Windows.** Replacement of windows in non-contributing buildings is allowed.

(1) **Materials.**

(A) Windows dating from the period of significance shall, if possible, be retained and repaired or restored.

(B) Replacement materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions and configuration of windows commonly used on other buildings in the district.

(C) Glass block or tinted, mirrored, opaque, or colored glass is not permitted, unless it is the historic glazing type.

(2) **Design.**

(A) Replacement windows should, to the greatest degree possible, match design, size, proportions, configuration, reflective qualities and profile of original windows dating from the period of significance, if documentary evidence of the appearance is available.

(B) The size and shape of window openings dating from the period of significance should be preserved so that the configuration of the façade is not changed.

(C) Original openings that have been covered or blocked should be re-opened when feasible.

(D) New window openings into the principal elevations, enlargement or reduction of original window openings and infill of original window openings are not permitted.

(E) Window styles historically used on upper levels shall not be installed at storefront level, and storefront windows shall not be installed on upper levels.

(F) Commercial window types shall not be substituted with residential window types.

(G) Interior grilles, grilles between layers of insulating glass, or stenciled mullions in lieu of true divided lights or exterior mullions are not permitted.

- (c) **Doors.** Replacement of doors in non-contributing buildings is allowed.
- (1) **Materials.**
 - (A) Doors dating from the period of significance shall, if possible, be retained and repaired or restored.
 - (B) Replacement materials shall be, to the greatest degree possible, of the same type, quality, design, size, finish, proportions and configuration of the doors commonly found in the district.
 - (2) **Design.**
 - (A) Replacement doors shall, to the greatest degree possible, match design, size, proportions and profile of the original door dating from the period of significance, if documentary evidence of the appearance is available.
 - (B) Original door openings that have been covered or blocked should be re-opened when feasible.
 - (C) The size and shape of original door openings should be preserved so that the configuration of the façade is not changed.
 - (D) Commercial door types shall not be substituted with residential door types.
- (d) **Storefronts.** Replacement of storefronts or components of storefronts in non-contributing buildings is allowed.
- (1) **Materials.**
 - (A) Materials dating from the period of significance shall, if possible, be retained and repaired or restored.
 - (B) Replacement materials shall be, to the greatest degree possible, of the same type, quality, design, size, finish, proportions and configuration of the storefronts commonly found in the district.
 - (2) **Design.**
 - (A) To the extent practicable, original storefront components such as windows, door configuration, transoms, signage and decorative features dating from the period of significance shall be preserved.
 - (B) Restoration of the appearance of the storefront during the period of significance, based on historical research and physical evidence, is preferred.
 - (C) Replacement that is contemporary in design shall be compatible with the scale, proportions, massing, height, rhythm, materials, color and texture of historic contributing buildings in the district.
- (e) **Roofs and Cornices.** Replacement of roofs and cornices on non-contributing buildings is allowed.
- (1) **Materials.**
 - (A) Historic specialty materials, such as original tile, slate, or rolled composition roofing dating from the period of significance should be maintained in place whenever possible.
 - (B) Replacement materials that are visible from the street shall be, to the greatest degree possible, of the same type, quality, design, size, finish, proportions and configuration of the roof and cornices commonly found in the district. Plastic or concrete simulated materials is not allowed. Imitation slate and wood are allowed as a substitute for original materials in a complete replacement.
 - (2) **Design.**
 - (A) To the extent practicable, original roof and cornice components visible from the street dating from the period of significance shall be preserved.
 - (B) Eave overhangs dating from the period of significance shall be maintained.
 - (C) Restoration of the appearance of the roof and cornice that is visible from the street, based on historical research and physical evidence from the period of significance, is

preferred.

(D) Replacement of roofs and cornices that are contemporary in design shall be compatible with the scale, proportions, massing, height, rhythm, materials, color and texture of historic buildings in the district.

(E) Cutting back roof rafters and soffits, boxing in exposed rafter tails, adding fascia boards where none existed, or otherwise altering material that dates from the period of significance is not allowed.

(F) To the extent practical, inappropriate repairs or additions that occurred after the period of significance should be removed or corrected.

(f) Lintels, Architraves, Sills and other Architectural Details. Replacement of lintels, architraves, sills and other architectural details on non-contributing buildings is allowed.

(1) Materials.

(A) Materials dating from the period of significance shall, if possible, be retained and repaired or restored.

(B) Replacement materials shall be, to the greatest extent practicable, of the same type, quality, design, size, finish, proportions and configuration commonly found in the district.

(2) Design.

(A) To the extent practicable, original material dating from the period of significance shall be preserved.

(B) Restoration of the appearance of architectural details that are visible from the street, based on historical research and physical evidence from the period of significance, is preferred.

(C) Replacement architectural details that are contemporary in design shall be compatible with the scale, proportions, massing, height, rhythm, materials, color and texture of historic buildings in the district.

(g) Alterations and Additions. Additions and alterations that comply with the standards in this section may be made to historic non-contributing buildings. Whenever practical, additions and alterations to historic non-contributing buildings should result in the restoration of missing features from the period of significance, or the removal of alterations that were made outside of the period of significance.

(1) Materials.

(A) Materials shall be consistent with those present in buildings in the district generally.

(B) Roofing materials shall have a non-reflective, matte finish.

(2) Design.

(A) The location for an addition shall be at the rear, or on an inconspicuous side, of the building.

(B) Changes to features of a historic non-contributing building that date from the period of significance shall be minimized.

(C) The design shall be compatible with the character of historic contributing buildings in the historic district and create a harmonious relationship with historic contributing buildings in the district generally. Factors in evaluating the design under this paragraph include, but are not limited to:

(i) Similarities in the size and scale to those used in historic contributing buildings in the district generally.

(ii) Use of architectural features that reflect, or are similar to, the architectural style of historic contributing buildings in the district.

(iii) Simple gable or hipped roofs with a pitch similar to surrounding buildings are generally appropriate. Flat roofs may be appropriate when the prevailing styles of architecture provide an appropriate context. Exotic or complex roof forms that

detract from the visual continuity of the district are generally inappropriate.

(iv) Additions should have a similar mass to surrounding buildings.

(v) Front elevations should appear similar in scale to those seen traditionally in the surrounding neighborhood.

(vi) The width and height of the addition should not exceed the typical dimensions seen in the district.

(vii) Simple rectangular building forms are generally preferred.

(D) The design shall make clear what is original and what is new.

(E) Features that have been added over time and have attained significance in their own right shall be preserved, even if the features do not reflect the period of significance.

(F) An addition that adds stories shall increase the height of a building to no more than four stories.

(h) **Accessibility.** Additions or alterations to improve accessibility are allowed.

(1) **Materials.** Materials shall be, to the greatest degree possible, of the same type, quality, design, size, finish, proportions and configuration of materials commonly used in the district.

(2) **Design.**

(A) Design additions or alterations to improve accessibility in a manner that identifies the building's character-defining spaces and features and prevents their damage or loss.

(B) Additions and alterations to improved accessibility should be designed in a manner that is compatible with the building and its setting.

(i) **Energy.** Retrofitting non-contributing buildings to achieve energy efficiency is permitted, if the retrofitting preserves the character of the historic district.

(1) **Materials.** The materials for any retro-fitted architectural elements, including, but not limited to, windows and doors shall comply with the standards for materials for such elements set forth in this section.

(2) **Design.**

(A) To the extent practicable, systems to control ventilation, such as double hung, transom windows and awnings, dating from the period of significance should be preserved.

(B) The designs of any retro-fitted architectural elements, including, but not limited to, windows and doors shall comply with the standards for replacement of such elements set forth in this section.

(C) Retrofitting shall be designed in a manner that prevents loss of material or architectural elements dating from the period of significance.

(j) **Mechanical Equipment and Service Areas.** Addition and replacement of mechanical equipment, including, but not limited to heating and cooling systems, solar panels and telecommunications equipment, and service areas including, but not limited to dumpster enclosures, is allowed.

(1) **Materials.** Materials shall be harmonious in type, color, scale, texture and proportions with the building and the district generally.

(2) **Design.**

(A) Mechanical equipment and service areas should be located out of public view and designed as an integral part of the overall building design.

(B) Mechanical equipment and service areas should be placed at the rear of the building, recessed on the roof of the building, or screened by appropriate fencing.

(C) Low-profile mechanical units and elevator shafts may be placed on rooftops if they are not visible from the street, or set back and screened from view.

(D) Solar panels should have low profiles and not be visible from right-of-way, other than alleys, and shall be installed in a manner that minimizes damage to historic

materials.

(E) Skylights shall be flat and shall not alter the existing profile of the roof. Bubble-type skylights are prohibited.

(F) Mechanical equipment placed at street level should be screened in a manner that is compatible with the streetscape and adjacent buildings.

(G) New skylights and vents shall be placed behind and below the parapet level.

(k) **Awnings and Canopies.** Replacement or installation of awnings and canopies on non-contributing buildings is allowed.

(1) **Materials.**

(A) Materials that are compatible with the character of the district shall be used.

(B) Canvas is an approved material for awnings and canopies.

(2) **Design.**

(A) Awnings shall be located within window openings, and below transoms.

(B) Umbrella-type awnings and non-historic forms are not permitted.

(C) Awnings shall be attached in such a manner that historic materials or features are not damaged.

(D) Marquees may be used where compatible with the building and neighboring buildings.

(E) Awnings, canopies, or marquees shall not obscure significant architectural features on the building.

(F) Awnings, canopies, or marquees shall have size, scale and design that is compatible with the building and neighboring buildings. (Ord No. 34-10)

230.050. Standards for New Construction in Commercial Historic Districts. New buildings may be constructed in commercial historic districts, subject to the following standards:

(a) **Materials.**

(1) The primary facade shall be constructed of traditional building materials such as brick or stone. Stucco or pre-cast concrete block shall not be used in the primary facade.

(2) Materials used in the construction shall be identical or similar those available for similar buildings or structures built during the period of significance.

(3) Materials shall be similar in scale, proportion, texture, and finish to those found on nearby historic structures.

(b) **Design.**

(1) The design shall be compatible with general character of historic contributing buildings in the historic district. Factors in evaluating compatibility include, but are not limited to:

(A) The height, width, proportions, size and scale is consistent with those used in similar historic contributing buildings in the district generally.

(B) The design reflects, but does not replicate, the architectural style of historic contributing buildings in the district.

(C) Architectural elements that are similar to those found on historic contributing buildings in the historic district are used.

(D) Architectural elements such as lintels, cornices, doors, storefronts and windows reflect the spacing, placement, scale, orientation and proportion of buildings in the district.

(E) The front facade is designed with human-scaled proportions that are compatible with adjacent buildings and the district as a whole.

(2) Buildings shall be placed contiguous with the right-of-way line.

(3) Buildings shall be designed without above-ground pedestrian walkways which are prohibited across any public street.

(4) Walls shall include storefronts along each ground floor that is adjacent to a public street.

Windows shall not be tinted, mirrored or treated in such a way as to block views into the interior.

(5) Parking within a building on the ground floor shall only be allowed behind secondary facades. Commercial storefronts or office uses shall be provided between any ground floor parking area and the primary facades fronting the public street. Parking is prohibited between the building and the street.

(6) No new building shall be designed to allow drive-through uses.

(7) Manufactured dwelling units are prohibited

(c) **Mechanical Equipment and Service Areas.** Mechanical equipment, including, but not limited to heating and cooling systems, solar panels and telecommunications equipment, and service areas including, but not limited to dumpster enclosures, shall meet the following standards:

(1) **Materials.** Materials shall be harmonious in type, color, scale, texture, and proportions with the building and the district generally.

(2) **Design.**

(A) Mechanical equipment and service areas should be located out of public view and designed as an integral part of the overall building design.

(B) Mechanical equipment and service areas should be placed at the rear of the building, recessed on the roof of the building, or screened by appropriate fencing.

(C) Low-profile mechanical units and elevator shafts may be placed on rooftops if they are not visible from the street, or are set back and screened from view.

(D) Solar panels should have low profiles and not be visible from the street.

(E) Skylights shall be flat and shall not alter the existing profile of the roof. Bubble-type skylights are prohibited.

(F) Mechanical equipment placed at street level should be screened in a manner that is compatible with the streetscape and adjacent buildings.

(G) Skylights and vents shall be placed behind and below the parapet level.

(d) **Awnings and Canopies.** Awnings and canopies on new construction shall meet the following standards:

(1) **Materials.**

(A) Materials that are compatible with the character of the district shall be used.

(B) Canvas is an approved material for awnings and canopies.

(2) **Design.**

(A) Awnings shall be located within window openings, and below transoms.

(B) Umbrella-type awnings and non-historic forms are not permitted.

(C) Marquees may be used where compatible with the building and neighboring buildings.

(D) Awnings, canopies, or marquees shall not obscure significant architectural features on the building.

(E) Awnings, canopies, or marquees shall have size, scale and design that is compatible with the building and neighboring buildings. (Ord No. 34-10)

230.055. Murals in Commercial Historic Districts. Murals that comply with this section are allowed in commercial historic districts:

(a) Retain historic murals.

(b) Murals shall be located only on the side or rear of buildings.

(c) Murals shall not be located on primary facades, or secondary facades that face right-of-way.

(d) Murals shall be located only on non-historic non-contributing buildings. (Ord No. 34-10)

230.056. Signs in Commercial Historic Districts. In addition to other regulations within this Chapter, signs in commercial historic districts shall be designed and approved in accordance with the following standards:

- (a) Historic signs shall be retained whenever possible, particularly if the sign is associated with historic figures, events or places, significant as evidence of the history of the product, business or service advertised, significant as reflecting the history of the building or the development of the historic district, characteristic of a specific period, or integral to the building's or structure's design or physical fabric.
- (b) Recreate a historic sign only with sufficient historical, pictorial, and physical documentation.
- (c) New signs shall:
 - (1) Be located between transom and sill of first story, within a historic signboard, or suspended from awning or marquee.
 - (2) Be located perpendicular to corner, flush to the facade or perpendicular to building.
 - (3) Not be located in transom areas.
 - (4) Not obscure windows or significant architectural features.
 - (5) Be painted on side of building only if the building was previously painted and the sign has historic precedence. Do not paint on brick surfaces, if not previously painted.
 - (6) Be oriented to the main entrance and shall not be placed in a manner that has no relationship to main customer entrance.
 - (7) Be constructed of materials such as wood or metal, except for untreated mill-finished metals.
 - (8) Not use neon unless incorporated into a larger sign and there is historic precedence.
 - (9) Not use free-standing neon or plastic, back-lighted boxes.
 - (10) Be attached into mortar joints, not into masonry, with sign loads properly calculated and distributed.
 - (11) Have conduit located in the least obtrusive places.
 - (12) Not have exposed conduit.
 - (13) Use a dark background with light lettering.
 - (14) Not incorporate faux painting, e.g., stone, brick, metal.
 - (15) Design new signs that respect the size, scale and design of the historic resource.
 - (16) Locate new signs where they do not obscure significant features.
 - (17) Design new signs that respect neighboring resources.
 - (18) Use materials that are compatible with and characteristic of the building's or structure's period and style.
 - (19) Attach signs carefully to prevent damage to historic materials and ensure the safety of pedestrians.
 - (20) Any sign identifying the use of the building or structure otherwise permitted by this Chapter shall be limited to the minimum necessary for such identification. (Ord No. 34-10)

230.060. Public Historic Districts. Historic preservation activity in districts that contain primarily public buildings shall comply with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, published by the U.S. Department of the Interior, National Park Service. (Ord No. 34-10)

230.065. General Guidelines for Historic Contributing Resources. In lieu of the standards for historic contributing buildings set forth in SRC 230.025 and SRC 230.040, an applicant may make a proposal for preservation, restoration, or rehabilitation activity, regardless of type of work, which shall conform to the following guidelines:

- (a) Except as otherwise provided in this Chapter, the property shall be used for its historic purpose, or for a similar purpose that will not alter street access, landscape design, entrance(s), height, footprint, fenestration, or massing.
- (b) Historic materials, finishes and distinctive features shall, when possible, be preserved and repaired according to historic preservation methods, rather than restored.
- (c) Distinctive stylistic features or examples of skilled craftsmanship significance shall be treated with sensitivity.
- (d) Historic features shall be restored or reconstructed only when supported by physical or photographic evidence.
- (e) Changes that have taken place to a historic resource over the course of time are evidence of the history and development of a historic resource and its environment, and should be recognized and respected. These changes may have acquired significance in their own right, and this significance should be recognized and respected.
- (f) Additions and alterations to a historic resource shall be designed and constructed to minimize changes to the historic resource.
- (g) Additions and alterations shall be constructed with the least possible loss of historic materials and so that significant features are not obscured, damaged, or destroyed.
- (h) Structural deficiencies in a historic resource shall be corrected without visually changing the composition, design, texture or other visual qualities.
- (i) Excavation or re-grading shall not be allowed adjacent to or within the site of a historic resource which could cause the foundation to settle, shift, or fail, or have a similar effect on adjacent historic resources. (Ord No. 34-10)

230.070. General Guidelines for Non-Contributing Buildings and Structures. In lieu of the standards for non-contributing buildings and structures set forth in SRC 230.030 and SRC 230.045 of this section, an applicant may make changes to a non-contributing building or structure, regardless of type of work, which shall conform to the following guidelines:

- (a) Materials shall be consistent with those present in buildings and structures in the district generally.
- (b) Alterations and additions shall be compatible in design and construction with the general character of buildings or structures in the historic district. Factors in evaluating compatibility include, but are not limited to:
 - (1) Architectural elements such as porches, dormers, doors and windows reflect the spacing, placement, scale, orientation and proportion of buildings in the district, generally.
 - (2) The location is at the rear, or on an inconspicuous side, of the building or structure.
 - (3) The size and scale is consistent and harmonious with the buildings and structures in the district generally.
 - (4) The design reflects, but does not replicate, the architectural style of historic contributing buildings and structures in the district.
 - (5) The building uses similar setbacks, orientation on the site, spacing and distance from adjacent buildings that is found on buildings in the immediate vicinity and the district as a whole. (Ord No. 34-10)

230.075. Streetscape Standards. Streetscape improvements in historic districts shall comply with this section.

- (a) **Materials.**
 - (1) Replacement materials should match as closely as possible to the original color, texture, size and finish of the original materials.
 - (2) Diseased street trees should be replaced in kind, if possible.

(b) Design.

- (1) Historic street lamps shall be preserved, if feasible.
- (2) Healthy, mature street trees shall be preserved if they are significant to the district.
- (3) Historic landscaped buffer zones, such as the grassy median between the sidewalk and curb shall be preserved.
- (4) Historic retaining walls should be preserved, if feasible.
- (5) Significant sidewalk and driveway features should be preserved when they contribute to the character of the district.
- (6) Original driveway locations and curb cuts should be preserved when they contribute to the character of the district.
- (7) Only those portions of character-defining streetscape that are deteriorated beyond repair shall be replaced.
- (8) New sidewalks should align with existing historic sidewalks on the block, if present.
- (9) When feasible, replacement or new sidewalks should exhibit scoring lines and brush patterns consistent with the historic material when those elements contribute to the historic character of the district. (Ord No. 34-10)

230.080 Individually Listed Resources. Historic preservation activity on an individually listed resource shall comply with the standards for historic contributing buildings for the type of resource. (Ord No. 34-10)

230.085. Historic Resource Adaptive Reuse.

(a) Applicability. This section allows adaptive reuse of historic-contributing buildings and individually listed resources in all residential zones and in the Commercial Office zone, in order to preserve these buildings or structures, where other uses would not be economically practical, and where a zone change would be inappropriate.

(b) Procedure Type. Historical resource adaptive reuse is a Type III procedure under SRC Chapter 300.

(c) Additional Submittal Requirements. In addition to the submittal requirements for a Type III application under SRC Chapter 300, an application for historic resource adaptive reuse shall include:

- (1) Cost/benefit analysis.
- (2) Documentation of good faith efforts by the property owner to put the property to economically beneficial use including but not limited to leasing the building or resource;
- (3) Any capital expenditures associated with the building or structure during the two years immediately preceding the application for adaptive reuse.
- (4) Site plan identifying the following:
 - (A) All streets that abut the site and their designation (i.e., arterial, collector etc); and
 - (B) Proposed parking, if applicable.

(d) Criteria. An application for historic resource adaptive reuse shall be granted if the following criteria are met:

- (1) The building is a historic contributing building or an individually listed resource.
- (2) Adaptive reuse is allowed in the zone.
- (3) Use of the building or structure for any other use allowed in the zone is not economically practical, and the property does not meet the criteria for a zone change.
- (4) Allowing the proposed use will encourage preservation of the resource.
- (5) The building or structure will not be structurally expanded, or if historic non-contributing, will be restored.
- (6) The building or structure is located on an arterial or collector street.
- (7) Parking that meets the requirements of SRC Chapter 133 will be provided.

(8) The proposed limited commercial use will not have a substantial adverse impact on public health, safety, and welfare and any other reasonably likely adverse impacts of the limited commercial use on the immediate neighborhood can be minimized through the imposition of conditions. The following shall apply in making the determination of substantial adverse impact:

(A) To preserve the integrity of residential historic districts, limited commercial uses in residential buildings or structures located within a residential historic district is discouraged.

(B) In the RS or RD zones, adaptive reuse shall only be allowed on arterial or collector streets that form the perimeter of the zone.

(9) The proposed limited commercial use, as conditioned, will be compatible with and have minimal impact on the livability or appropriate development of surrounding property.

(e) **Conditions.** The review authority shall impose such conditions on the historic resource adaptive reuse permit as are necessary to establish compliance with the approval criteria.

(f) **Approval to Run with the Land.** Unless otherwise provided in the decision granting, historic adaptive reuse permits shall run with the land.

(g) **Historic Design Review.** Historic design review is required for any exterior alterations to a building or structure that has received historic resource adaptive reuse approval.

(h) **Uses Permitted.** The uses permitted for adaptive reuse pursuant to this section, either singularly or in combination, are:

(1) **Additional dwelling units:**

(A) RS - maximum of four units;

(B) RD - maximum of four units;

(2) **Telephone answering service;**

(3) **Professional offices:**

(A) Accounting services (SIC 8721);

(B) Artists;

(C) Engineering, architectural, and surveying services (SIC 871);

(D) Legal services (SIC 81);

(E) Offices of physicians (SIC 801), dentists (SIC 802), osteopathic physicians (SIC 803), and other health practitioners (SIC 804).

(4) **Retail:**

(A) Used merchandise store (SIC 5931);

(B) Men's and Boys' Clothing and Accessory Stores (SIC 561);

(C) Women's ready-to-wear stores (SIC 562);

(D) Women's accessory and specialty stores (SIC 563);

(E) Children's and Infants' Wear Stores (SIC 564);

(F) Art gallery and framing shop;

(5) **Services:**

(A) Interior decorating studio;

(B) Child day care services (SIC 835);

(C) Residential care (SIC 836).

(6) **Other:** Other office, service, and retail uses not otherwise enumerated in this subsection that are substantially similar in traffic generation, noise generation, parking demand, hours of operation, and other similar characteristics relating to compatibility with surrounding uses. (Ord No. 34-10)

230.090. Demolition.

(a) **Applicability.** Prior to the issuance of a permit for the demolition of one-half or more of the ground floor square footage of a historic contributing building or individually listed resource, the

owner must first obtain a historic resource demolition permit pursuant to this section. Historic resource demolition permit approval is a two stage process. "Stage 1" requires review by the Building Official to determine whether the building or resource can be reasonably moved. If the building or structure can be moved, "Stage 1" requires review to certify the relocation of the building or resource. If the building or resource cannot be moved, or no suitable location can be found, "Stage 2" requires review by the Historic Landmarks Commission to determine whether the building or resource should be demolished.

(b) Procedure Type.

(1) Historic Resource Demolition approval is a Type III procedure under SRC Chapter 300

(c) Historic Resource Demolition Permit Stage 1.

(1) **Submittal Requirements.** An application for Historic Resource Demolition Permit Stage 1 shall include a report from a structural engineer as to the soundness of the structure and the feasibility of transporting the building or resource on public right-of-way.

(2) **Criteria.** Historic Resource Demolition Permit Stage 1 shall be granted if the applicant demonstrates that the structural integrity of the building or resource retains sufficient integrity that transporting the building or resource upon public right-of-way would not present a reasonable likelihood of collapse, or would not otherwise endanger public health, safety and welfare. Should the permit be granted, the applicant shall proceed with a Relocation Permit Application. Should the permit not be granted, the applicant shall proceed with Stage 2 demolition review before the Historic Landmarks Commission.

(3) **Relocation Permit Application.** If the building or resource can be moved, the applicant shall make a reasonable attempt to relocate the building or resource. The applicant shall notify the Director of the new location of the building. If the original requirements relating to integrity under SRC 230.030 are met, the building or resource shall retain its designation on the new site. If the original requirements relating to integrity are not met, the building or resource shall have its designation removed pursuant to SRC 230.010. Should the applicant be unable to find a suitable site for relocation, the applicant may proceed to Stage 2 Historic Resource Demolition Review.

(4) **Appeals of Building Official's Decision.** Appeals of the Building Official's decision shall be made according to the procedures for contested case proceedings under SRC Chapter 20J.

(d) Historic Resource Demolition Stage 2.

(1) **Submittal Requirements.** In addition to the submittal requirements for a Type III application under SRC Chapter 300, an application for Historic Resource Demolition Stage 2 shall include:

(A) Statement of the historic value and significance of the building or resource to the community, taking into consideration its designation as a local landmark, individually listed historic contributing building on the National Register or its location within a National Register Historic District;

(B) Statement demonstrating the property is incapable of generating a reasonable economic return, including, but not limited to:

(i) The purchase price of the building or resource;

(ii) The annual gross income generated from the building or resource for the last two years;

(iii) Documentation of good faith efforts by the property owner, leasee or renter the building or resource;

(iv) The debt associated with the building or resource including a profit and loss statement for the two years immediately preceding the Stage 1 application for demolition; and

(v) Any capital expenditures associated with the building or structure during the two years immediately preceding the Stage 1 application for demolition.

(C) Statement demonstrating good faith efforts of property owner to sell or relocate the building or resource, including, but not limited to:

- (i) Real estate taxes for the two years immediately preceding the application;
- (ii) Assessed value for the two years immediately preceding the application;
- (iii) Current fair market value of building or resource as determined by appraiser;
- (iv) All listings for building or resource for past two years including prices asked/offers received; and
- (v) Documentation of all attempts to relocate the building or resource.

(D) Analysis of the proposed adaptive reuse of the building or resource, including, but not limited to:

- (i) Report from structural engineer on the condition of building or resource;
- (ii) Estimate of cost for rehabilitation of building or resource with an existing use;
- (iii) Report from real estate or other market professional identifying potential alternative uses allowed for development of the building or resource with existing zoning. The report should include a market analysis evaluating need for alternative uses as well as the number of existing alternative uses already present within the zone;
- (iv) Estimate of cost for rehabilitation of building or resource for at least two other identified uses; and
- (v) Report identifying available economic incentives for adaptive reuse of the building or resource, including any federal tax credits available for rehabilitation of National Register properties.

(E) A proposed plan for redevelopment of the site on which the building or resource is located.

(2) **Criteria.** An application for a Historic Resource Demolition permit shall be granted if the following criteria are met:

- (A) The value to the community of the proposed use of the property outweighs the value of retaining the designated historic resource on the present site.
- (B) The designated historic resource is not capable of generating a reasonable economic return and the demolition is economically necessary.
- (C) The owner has made a good faith effort to sell or relocate the designated resource.
- (D) No prudent and feasible alternative exists to rehabilitate and reuse the designated resource in its present location.

(3) **Issuance of Demolition Permit.** Unless an appeal is filed, or the City Council initiates review, the demolition permit shall be issued upon the expiration of the thirty-day notice period. If an appeal is filed, or review is initiated, the demolition permit shall be issued no sooner than twenty-one days from the date such appeal or review is final. (Ord No. 34-10)

230.095. Demolition by Neglect.

(a) No owner of a historic contributing building or an individually listed resource shall maintain and keep such building or resource in a manner that promotes or allows deterioration, dilapidation and decay of any portion of the building or resource, or that would, if the building or resource is vacant, allow open entry by unauthorized persons. Violation of this subsection is hereby declared to be a public nuisance which may be abated as provided in this section.

(b) **Criteria.** An owner violates subsection (a) of this section, if the owner promotes or allows any of the following to occur to, or exist in, the historic contributing building or individually listed resource:

- (1) Faults, defects, or other conditions which render the building or resource structurally unsafe or not properly watertight.
- (2) Deterioration of walls or support members due to failure to paint or otherwise maintain

the building or resource.

- (3) Failure to keep windows and doors secured in a manner that prevents the entry by unauthorized persons.
- (4) Failure to maintain parts of the resource so they are securely attached and will not fall or injure persons or property.
- (5) Deterioration to the foundation.
- (6) Deterioration to floor supports such that they cannot carry imposed loads with safety.
- (7) Deterioration to members of walls, or other vertical supports in such a manner to prevent splitting, leaning, listing, buckling, or becoming insufficient to carry imposed loads with safety.
- (8) Deterioration of members of ceiling, roofs, ceiling and roof supports, or other horizontal members to the extent that they sag, split, or buckle.
- (9) Deterioration of ceilings, roofs, or their supports, or other horizontal members such that they become insufficient to carry imposed loads with safety.
- (10) Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.

(c) **Abatement.** When the code enforcement official has reasonable grounds to believe that a violation of this section has occurred or is occurring, the code enforcement official may initiate enforcement proceedings by issuing an enforcement order, as provided in SRC 20J.090. Enforcement proceedings, and appeals thereof, shall follow the procedures set forth in SRC 20J.090-20J.430.

(d) Nothing in this section shall prevent the summary abatement of unsafe or dangerous condition of a historic resource that constitutes an imminent and serious threat to public safety. (Ord No. 34-10)

230.100. Preservation of Archeological Resources.

- (a) Archeological resources shall be protected and preserved in place subject to the requirements of federal, state, and local regulations, including the guidelines administered by the Oregon State Historic Preservation Office and ORS 358.905-358.961.
- (b) A person may not excavate, injure, destroy or alter an archaeological site or object or remove an archaeological object located on public or private lands unless that activity is authorized by a permit issued under ORS 390.235. A violation of this subsection is a misdemeanor. (Ord No. 34-10)

230.101. Enforcement. In addition to any remedies set forth in this Chapter, SRC 230.001-230.095 may be enforced through SRC 110.900. (Ord No. 34-10)

