



**PLANNING COMMISSION
TEXT AMENDMENT CASE SUMMARY**

**AMEND THE TEXT OF THE ZONING ORDINANCE
FOR UPDATES AND MODIFICATIONS**

April 7, 2013

City Council Chambers, 1737 Main Street, 3rd Floor, Columbia, SC 29203

Proposal: Amend §17 - Article V – Historic Preservation and Architectural Review for updates and modifications

Applicant: Krista M. Hampton, Director of Planning and Development Services

Affected Sections: Amend §17 - Article V – Historic Preservation and Architectural Review

Staff Recommendation: Approve

Detail: This text amendment is intended to allow certain reviews and approvals to move from the purview of the Design/Development Review Commission to Planning staff in order to provide more efficient customer service and to expedite projects in the city. As well, language throughout the document has been modified to provide greater clarity.

Pending Issues: None.

Staff Contact: Krista Hampton, Director of Planning and Development Services

Proposed Amendments to City Code

Article V. Historic Preservation and Architectural Review

DIVISION 1

Section 17-652. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Architectural conservation district means any area designated by the city council in accordance with section 17-654 as an area containing any physical features or improvements, or both, which:

- (1) Are of historical, social, cultural, architectural or aesthetic significance to the city;
and
- (2) Cause such area to constitute a distinctive section of the city.

Building official means the building official of the city, or such person authorized by the building official of the city to issue building permits or zoning permits.

Commission means the commission provided for by section 17-653 and the staff of the commission.

Contributing means any building, structure, or object, **generally** 50 years old or older, which adds to the historical integrity or architectural qualities that make the historic district significant.

Demolition means the razing of any exterior architectural feature or structure, including its ruin by neglect of necessary maintenance or repairs, or either.

Exterior architectural feature means the site improvements and general architectural arrangement, or either, of such portion of the exterior of any structure as is designed to be open to view from any public street or way, including but not limited to:

- (1) The kind, color and texture of the material of such portion so open to view.
- (2) The type and design of all windows, doors, lights, signs and other fixtures appurtenant to such portion.
- (3) The location, adequacy and treatment of any vehicular access to such structure and open to view.

Historic commercial district means any area designated by the city council in accordance with section 17-654 as an area containing physical features or improvements, or both, which:

- (1) Were originally constructed for commercial use;
- (2) Are of historical, social, cultural, architectural or aesthetic significance to the city;
and
- (3) Cause such an area to constitute a distinctive section of the city.

Improvement means any place, building, structure, fixture or object which in whole or part constitutes a visually significant exterior or interior physical betterment, adornment or enhancement of any real property.

Landmark means any physical feature or improvement designated by the city council in accordance with section 17-654 as a physical feature or improvement which in whole or part has historical, social, cultural, architectural or aesthetic significance to the city and the state, or the region, or the nation, and has been in existence for no fewer than 20 years.

Landmark district means any area designated by the city council in accordance with section 17-654 as an area containing any physical features or improvements, or both, which are of historical, social, cultural, architectural or aesthetic significance to the city, ~~and the state, or the region, or the nation,~~ and cause such area to constitute a distinctive section of the city.

Major alteration means a significant change to a building or site that may include but is not limited to enclosing a porch, building an addition, removing or adding openings, removing or altering large amounts of original material, and other alterations determined by the commission to be significant for the building or site.

Minor alteration means a change to a building or site that does not qualify as a major alteration, as determined by the commission.

Non-contributing means any building, structure, or object, less than 50 years old, which does not possess the historical integrity or architectural qualities that make the historic district significant, or a property or building 50 years old or older that has been significantly altered, or properties not associated with the period of significance for the district.

Protection area means any area designated by the city council in accordance with section 17-654 as an area which is contiguous to and constitutes an essential part of the physical environment of any architectural conservation district, landmark, or landmark district, or constitutes an area of significance in fostering good principles of urban design

as applied to the city-, or is an area of historical, social, cultural, architectural or aesthetic significance to the city.

Site improvement means all or any of the paving, steps, fencing and masonry walls of the site of any structure or landscape.

Structure means a structure as defined in the zoning ordinance of the city (article III of this chapter), together with any site improvements related thereto.
(Code 1979, § 6-8002; Ord. No. 94-16, 5-4-94; Ord. No. 98-079, 11-18-98; Ord. No. 2003-022, 4-2-03)

Cross reference—Definitions generally, § 1-2.

Sec. 17-653. Design and development review commission.

(a) *Established.* There is hereby created a board of architectural review pursuant to S.C. Code 1976, § 6-29-890, which shall be known as the Columbia Design and Development Review Commission (referred to in this article as the “DDRC” or the “commission”), which shall serve the functions and in the capacities set forth in this Code.

(b) *Purpose and duties.* The purposes of the commission shall be as follows:

- (1) Advise the city council upon the designation of landmarks, landmark districts, architectural conservation districts, and protection areas.
- (2) Carry out those regulatory duties relating to subsection (b)(1) of this section as set forth in this section.
- (3) Plan and direct continuing studies of areas, physical features and improvements in the city relating to urban design, historic preservation, beautification, civic improvement and other considerations in furtherance of this article, and in doing so, properly coordinate such plans and studies with the various departments and agencies of the city.
- (4) Engage in educational activities related to the furtherance of this article in order to promote appropriate urban design, historic preservation and conservation of historic or aesthetic features of the city.
- (5) Advise, assist and represent the best interest of the city in matters relating to coordination of and assistance to other public bodies and private interests in activities related to this article.
- (6) Advise and assist the city council in acquisition of any gift, grant, purchase, bequest, devise, lease, fee simple or lesser interest, development right, easement (including scenic easement), covenant or other contractual right which may accrue to the furtherance of the purposes of this article.

- (7) Advise the city council in actions of eminent domain taken in furtherance of the purposes of this article.
- (8) Upon request of the city council, manage, control and maintain any **property related to the purpose of this article or to the purposes of the commission.**
- (9) Administer the design guidelines for the -DP, -ID, -DD, -NC, and -5P areas.

(c) *Membership.* The membership of the commission shall be as follows:

- (1) *Number of members; qualifications of members.* The commission shall consist of not more than ten members, of whom at least one shall be an architect registered in the state, at least one shall be a lawyer admitted to practice before the supreme court of the state, at least one shall be experienced as an architectural historian, at least one shall be experienced as a city planner, at least one shall be a real estate developer or licensed real estate broker, and one shall be an architect with historic preservation experience and the remainder, if any, shall be persons who, by reason of other experience or education, shall be qualified for service on such commission.
- (2) *Appointment of members; terms; vacancies.* Every such member shall be appointed by the city council and shall serve at the pleasure of the council for a term of three years. The commission may submit a list of recommended nominees to fill vacancies for consideration by the city council. No member of the commission may be appointed to serve for more than two successive terms.
- (3) *Removal of members; compensation.* Members may be removed at any time with or without cause. Any member who fails to attend two consecutive meetings of the commission without giving ~~five~~ **three** days' advance written notice of conflict to the chairman and secretary of the commission shall be deemed to have abandoned his membership on the commission. No member shall receive compensation for his service on the commission, but he may be reimbursed for his actual expenses necessarily incurred in the performance of his official duties.

(d) *Rules of procedure; officers; records.* The procedures of the commission shall be as follows: The commission shall adopt, and from time to time may amend, bylaws concerning its internal management. Such bylaws and amendments must be approved by resolution of the city council. The commission shall elect one of its members as chairman and another as vice-chairman. The city manager shall designate an employee of the city to serve as its secretary. The records of the commission shall set forth every determination made by the commission, the vote of every member participating in such determination and the absence or failure to vote of every other member.

(Code 1979, § 6-8003; Ord. No. 94-16, 5-4-94; Ord. No. 97-58, 10-1-97; Ord. No. 98-079, 11-18-98; Ord. No. 99-011, § 1, 4-21-99; Ord. No. 2008-025, 6-18-08; Ord. No. 2009-036, 6-3-09)

Sec. 17-654. Designation of historic protection classifications.

(a) *Description of classifications.* It is the general intent of this article to ensure a proper relationship between appropriate urban design and historic preservation considerations on the one hand and flexibility of design creativity on the other hand. To that end, five protection classifications are hereby created, with the intent that each shall impose a different degree of regulation upon activities related to the intent of this article. Protection classifications are as enumerated in this subsection, in descending order of regulatory control.

- (1) *Landmark.* This classification shall be applied to buildings, structures, improvements or physical features which have historic, architectural, aesthetic, social or cultural significance to the city, the state, the region, or the nation. This classification shall not be applied unless the feature has been in existence for at least 20 years. This classification should be applied in order to protect such features from demolition, encroachment, removal to inappropriate sites, or other adverse actions which would endanger those qualities of the feature which impart its value as a landmark. It is anticipated that stringent control criteria would be applied for features given this classification.
- (2) *Landmark district.* This classification is intended to be applied to either of two types of areas:
 - a. To an area surrounding a landmark in order to protect the landmark; or
 - b. To an area not containing a landmark but which, because of a grouping of structures or other features, may be considered of substantial importance such that the district itself constitutes an outstanding and distinctive area worthy of protection. It is not required that any criteria of age of structures be established. It is anticipated that stringent control criteria would be applied within landmark districts.
- (3) *Architectural conservation district.* This classification is intended to be applied to areas which constitute distinctive sections of the city by virtue of groupings of architectural features, distinctive character of the district or distinctive function of the district. This classification should be applied when the regulatory intent is to preserve, conserve or enhance the character, function or environment of the district as contrasted to preservation of specific structures. It is anticipated that less stringent control criteria would be applied than for the landmark district.
- (4) *Historic commercial district.* This classification is intended to be applied to areas which constitute distinctive sections of the city by virtue of groupings of buildings and structures which were constructed originally for commercial uses. Typically these buildings originally housed retail, institutional, office or manufacturing uses. This classification should be applied when the regulatory intent is to

preserve, conserve or enhance the character, function or environment of the district as contrasted to specific structures. It is anticipated that control criteria equal in magnitude to that of the architectural conservation district would be applied. It is anticipated that less stringent control criteria would be applied than for the landmark district.

- (5) *Protection areas.* This classification is intended to be applied to areas which are less distinctively defined geographically, visually or physically than landmark districts, architectural conservation districts or historic commercial districts, but which nevertheless constitute essential portions of areas which should be subject to urban design regulations. This classification should be applied in areas where selective control of specified design characteristics and features is desired as a means of protecting the environs of districts which are distinctive in character or function. It is anticipated that minimal control of selected characteristics would be applied in protection areas.

(b) *Procedures for designation.* Prior to designation of any landmark, landmark district, architectural conservation district, historic commercial district or protection area, the DDRC shall submit a report to the city council recommending the location and boundaries of such designation. The report shall, in addition, recommend general standards for urban design and historic preservation control and other regulatory criteria consistent with the purpose of this article. Such standards and criteria shall take account of the differences in significance and purpose between landmarks, landmark districts, architectural conservation districts, historic commercial districts and protection areas as enumerated in subsection (a) of this section. These standards, or design guidelines, shall be made a material part of the designation and may be amended at the discretion of City Council after a duly held public hearing.

(Code 1979, Sec. 6-8004; Ord. No. 94-16, 5-4-94; Ord. No. 98-079, 11-18-98)

Sec. 17-655. Administration.

Upon adoption of urban design and historic preservation regulations by the city council, administration of the regulations shall take place as follows:

- (a) *Administration of historic preservation regulations.*
 - (1) *Certificate of design approval.* Where required by ordinance or design guidelines, no construction, reconstruction, addition, alteration, relocation, repair, or demolition of any structure or site improvement, erection or replacement of any sign, marquee, awning or other exterior architectural feature, or attachment of any appurtenance to a landmark or to any other structure within a designated landmark district, architectural conservation district, historic commercial district or protection area shall be permitted unless a certificate of design approval has been appropriately issued therefore under the terms of the standards or design guidelines as adopted by the city council. For actions which do not require DDRC

certificate of design approval, as set forth in subsection (2) of this section, a zoning permit shall serve as a certificate of design approval. Interior alterations which require zoning and building permits do not require a certificate of design approval. A certificate of design approval shall be required whether or not a building permit is required.

(2) *Issuance of certificate of design approval.* A certificate of design approval shall be based upon the standards or design guidelines adopted by the city council for each historic district or landmark. Issuance shall be governed as follows:

a. Issuance by the staff of the DDRC is permitted for:

1. Minor repairs which require a building permit but do not alter the exterior appearance **or materials** of a building.
2. Major repairs to buildings in all historic districts using like materials.
3. Major repairs to individually designated landmarks using like materials at the option of staff and as set forth in this section.
4. Additions **or enclosures** to buildings; **and** new structures ~~and fencing~~ in rear areas of property ~~not~~ **that are minimally** visible from the street.
5. Alterations of exterior appearance **or materials** to noncontributing or nonhistoric buildings in historic districts.
6. Signage for buildings in all historic districts except those that are individually designated as landmarks.
7. Demolition **or relocation** of noncontributing buildings in historic districts.
8. Fences and walls in Protection Areas, Architectural Conservation Districts, and Historic Commercial Districts.
9. Site improvements, **driveways and parking areas** for contributing buildings in historic districts.
10. **The removal, replacement, or alteration of a non-original feature with a feature consistent with the standards and guidelines for the district and appropriate to the building's period or style of construction.**
11. **New construction of a shed or outbuilding that is less than 120 square feet.**
12. **Demolition of a contributing building that has been catastrophically damaged by a fire or other disastrous event.**
13. **Alterations or new construction to meet ADA or accessibility**

requirements.

14. Reconstruction of any exterior architectural feature that is missing or damaged and can be verified as original or as having reached architectural significance as verified by documentary evidence.

15. Minor alterations to an individual landmark or a contributing building in a historic district that comply with the guidelines or standards for that building or site.

b. Issuance shall be by the DDRC after a duly held public hearing for:

1. Major repairs to individually designated landmarks which utilize large quantities of replacement material.

2. Actions or major alterations which alter the exterior appearance or materials of individually designated ~~historic buildings~~ landmarks and contributing historic buildings in ~~historic districts~~ architectural conservation districts, historic commercial districts, and protection areas.

3. New construction in historic districts which is visible from the street.

4. Signage for all individually designated landmarks.

5. Demolition of all contributing historic buildings and all individually designated landmarks, **excepting those listed for staff review in subsection 17-655(a)(2).**

6. Site improvements for individually designated landmarks.

~~All actions in historic commercial districts which are subject to review by the DDRC shall also be subject to the review of a subcommittee appointed by the mayor and council. This subcommittee shall consist of seven individuals who are deemed to have a substantial interest in the functioning of the particular historic commercial district. This subcommittee shall only serve in an advisory capacity to the DDRC concerning applications for certificates of design approval made for properties in the particular district they represent. The subcommittee members shall also be appointed and serve as stated in subsections 17-653(c)(2) and (3).~~

c. Certificates of design approval which may be issued by the staff may be deferred for commission action, and any issuance or denial of a certificate of design approval may be appealed to the commission by any party at interest.

(b) *Administration of -DD area design guidelines.*

- (1) *Issuance of zoning and building permits.* No zoning permit or building permit shall be issued for any construction, reconstruction, alteration, repair or demolition of any structure, erection or replacement of any sign marquee, awning or other exterior architectural feature, or attachment of any appurtenance to any structure within the -DD design/development area unless a certificate of design approval has been issued therefore under the terms of the design guidelines as adopted by the city council. Interior alterations which require zoning and building permits do not require a certificate of design approval.
- (2) *Issuance of certificate of design approval.* Issuance of a certificate of design approval shall be based upon the requirements set forth in design guidelines adopted by the city council. Issuance shall be governed as follows:
 - a. Issuance by the staff of the DDRC is permitted for any project involving construction of new buildings of less than 50,000 square feet or renovation or new construction of less than \$500,000.00;
 - b. Issuance shall be by the DDRC after a duly held public hearing for any project involving construction of new buildings of greater than 50,000 square feet or renovation or new construction of more than \$500,000.00.
 - c. Certificates of design approval which may be issued by the staff may be deferred for commission action, and any issuance or denial of a certificate of design approval may be appealed to the commission by any party at interest.
- (c) *Administration of -5P design guidelines.*

- (1) *Issuance of zoning and building permits.* No zoning or building permit shall be issued for any construction, reconstruction, or alteration of any structure, erection or replacement of any sign, awning, or other exterior architectural feature, or attachment of any appurtenance to any structure within the -5P area unless a certificate of design approval has been issued therefore under the terms of the design guidelines as adopted by the city council. Interior alterations which require zoning and building permits do not require a certificate of design approval.
- (2) *Issuance of certificate of design approval.* Issuance of a certificate of design approval shall be based on the requirements set forth in design guidelines adopted by the city council. Issuance shall be governed as follows:
 - a. Issuance by the staff of the DDRC is permitted for any project involving construction of new buildings of less than 5,000 square feet, AND less than 35 feet in height, AND for renovations or new construction not exceeding \$500,000.00 as listed on the permit.
 - b. Issuance shall be by the DDRC after a duly held public hearing for any project involving construction of new buildings of greater than 5,000 square feet, or

with a height of greater than 35 feet, or renovation or new construction of more than \$500,000.00 as listed on the permit.

- c. Certificates of design approval which may be issued by the staff may be deferred for commission action, and any issuance or denial of a certificate of design approval may be appealed to the commission by any party of interest.

(d) *Administration of -ID design guidelines.*

- (1) *Issuance of zoning and building permits.* No zoning or building permit shall be issued for any construction, reconstruction, or alteration of any structure, erection or replacement of any sign, awning, or other exterior architectural feature, or attachment of any appurtenance to any structure within the -ID area unless a certificate of design approval has been issued therefore under the terms of the design guidelines as adopted by the city council. Interior alterations which require zoning and building permits do not require a certificate of design approval.

- (2) *Issuance of certificate of design approval.* Issuance of a certificate of design approval shall be based on the requirements set forth in design guidelines adopted by the city council. Issuance shall be governed as follows:

- a. Issuance by the staff of the DDRC is permitted for any project involving construction of new buildings of less than 50,000 square feet, or renovation or new construction of less than \$660,000.00. This dollar figure shall change monthly in accordance with the latest monthly non-preliminary Producer Price Index (PPI) for "materials and components for construction" as published by the U.S. Department of Labor, Bureau of Statistics. The base figure for this calculation is \$660,000.00 as of July, 2009.
- b. Issuance shall be by the DDRC after a duly held public hearing for any project involving construction of new buildings of greater than 50,000 square feet, or renovation or new construction of more than \$660,000.00. This dollar figure shall change monthly in accordance with the latest monthly non-preliminary Producer Price Index (PPI) for "materials and components for construction" as published by the U.S. Department of Labor, Bureau of Statistics. The base figure for this calculation is \$660,000.00 as of July, 2009.
- c. Certificates of design approval which may be issued by the staff may be deferred for commission action, and any issuance or denial of a certificate of design approval may be appealed to the commission by any party of interest.

- (d) *Certificate conditions.* Appropriate conditions may be attached to the certificate of design approval as the commission may find necessary or desirable to effect the purposes of this article, and the commission may modify or remove any such conditions.

(1) *Appeals.*

- a. Appeals from actions of the staff of the DDRC shall be taken to the DDRC.
- b. Appeals from actions of the DDRC shall be taken to a court of competent jurisdiction within a period of 30 days following the date of determination of the action appealed.
(Code 1979, § 6-8005; Ord. No. 94-16, 5-4-94; Ord. No. 94-83, 11-30-94; Ord. No. 98-079, 11-18-98; Ord. No. 2003-022, 4-2-03; Ord. No. 2008-025, 6-18-08 Ord. No. 2009-006, 3-4-09; Ord. No. 2009-036, 6-3-09)

Section 17-674. Review process.

(a) *Notice of public hearing.* The DDRC shall cause public notice to be given on all actions listed in section 17-655(a)(2)b.

(b) *Materials to be submitted for review.* Where the DDRC deems it necessary, in order to pass upon a particular proposal in a DP district, it may require submission of any or all of the following, among other necessary items, as part of the application for review: architectural plans, plot plans, landscaping plans, plans for off-street parking, proposed signs, and elevations of proposed structures. Additionally, in any historic commercial districts or for any proposals of multi-family structures, landscaping plans and elevation photographs or drawings showing proposed structures and all such existing structures as are within 500 feet of the proposed structure and are substantially related to it visually or by reason of function, traffic generation or other characteristics, may be required.

(c) *Matters to be considered by commission.* In its review of material submitted with applications for approval, the commission shall examine the architectural design, the exterior surface treatment, the arrangement and location of buildings and structures on the site in question and their relation to other buildings and structures within the district involved, and other pertinent factors affecting the appearance and efficient functioning of the district. In the DP districts, the commission shall not approve any proposed building or structure separately or in relation to its premises as proposed to be arranged, landscaped or constructed which would adversely affect the primary character of the district involved or the setting of public or quasi-public historical buildings or landmarks on which public or private monies have been or are proposed to be spent. The commission shall endeavor to ensure that the exterior appearance and arrangement of buildings, structures and premises in these districts will:

- (1) Enhance the attractiveness and functioning of each district in keeping with its purpose and intent;
- (2) Encourage the orderly and harmonious development of each district; and
- (3) Enhance and protect the public and private investment and general value of lands and improvements within the district.

(d) *Criteria for review of design of structures and sites.*

Issuance of a certificate of design approval shall be based upon the requirements set forth in the standards or design guidelines adopted by the city council for each historic district. For individual landmarks, the Governor's Mansion Protection Area, Elmwood Park Architectural Conservation District, and the Landmark District, the Secretary of the Interior's Standards for ~~Preservation~~ **Rehabilitation** as amended and listed below shall serve as guidelines until such time as design guidelines may be written and adopted by City Council for each local historic district. The Standards are to be applied to specific rehabilitation projects, taking into account the designation level of each district.

- (1) ~~a.~~ For landmark districts **and individual landmarks**, the historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- (2) ~~b.~~ In architectural conservation districts and protection areas, the historic character of a district shall be retained and preserved through the preservation of historic materials and features which characterize the historic district.
- (3) ~~c.~~ For individual landmarks and the landmark district, each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- (4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- (6) Deteriorated historic features shall be repaired rather than replaced. Where ~~the severity of~~ **severe deterioration or complete loss** requires replacement of a distinctive feature, the new feature shall match the old in design, color, **finish**, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence, **and character-defining features that have been lost due to intentional damage, removal or neglect shall be rebuilt.**
- (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- (8) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale,

and architectural features to protect the historic integrity of the property and its environment.

- (9) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

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

In the event of any conflict between the provisions of the code adopted by this section and guidelines established for an architectural conservation district, protection area, or historic commercial district, then the guidelines shall prevail and be controlling.

- (1) Height: Construct new buildings to a height that is compatible with the height of surrounding historic buildings.

- (2) Size and scale: The size and scale of a new building shall be visually compatible with surrounding buildings.

- (3) Massing: Arrange the mass of a new building (the relationship of solid components (ex. walls, columns, etc.) to open spaces (ex. windows, doors arches)) so that it is compatible with existing historic buildings on the block or street.

- (4) Directional expression: Site the entrance of the building so that it is compatible with surrounding buildings.

- (5) Setback: Locate the new building on the site so that the distance of the structure from the right of way is similar to adjacent structures.

- (6) Sense of entry: Place the main entrance and the associated architectural elements (porches, steps, etc.) so that they are compatible to surrounding structures. The main entrance shall be constructed with covered porches, porticos, or other architectural forms that are found on historic structures on the block or street.

- (7) Rhythm of openings: Construct new buildings so that the relationship of width to height of windows and doors, and the rhythm of solids to voids is visually compatible with historic buildings on the block or street. Maintain a similar ratio of height to width in the bays of the façade.

- (8) Roof shape: Use roof shapes, pitches, and materials that are visually compatible with those of surrounding buildings.

- (9) Materials, textures, details: Use materials, textures, and architectural features that are visually compatible with those of historic buildings on the block or street.

(e) *Criteria for review of requests for demolition permits.* The following criteria shall be used as a guideline by the DDRC **or its staff** for review of all requests for demolition permits. The commission may require the applicant to provide certain information dealing with the criteria. The type of information which may be required is detailed in the commission's rules and regulations; however, only that information which is reasonably available to owners may be required.

- (1) The historic or architectural significance of a building, structure or object;
- (2) A determination of whether the subject property is capable of earning a reasonable economic return on its value without the demolition, with consideration being given to economic impact to the property owner of the subject property;
- (3) The importance of the building, structure or object to the ambience of a district;
- (4) Whether the building, structure or object is one of the last remaining examples of its kind in the neighborhood, the city or the region;
- (5) Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be;
- (6) The existing structural condition, history of maintenance and use of the property, whether it endangers public safety, and whether the city is requiring its demolition
- (7) Whether the building or structure is able to be relocated, and whether a site for relocation is available; and
- (8) ~~Whether the building or structure is under orders from the city to be demolished, and this criterion shall be given more significance than the criteria mentioned in subsections (1) through (7) of this subsection.~~ **Whether the building or structure is under orders from the city to be demolished due to severe structural deficiencies, and this criterion shall have added significance in comparison to the criteria mentioned in subsections (1) through (7) of this subsection.**

(f) *Criteria for review of driveways and vehicular parking areas.* The DDRC **or its staff**, in their review of all construction or alteration of driveways or other vehicular parking areas in residentially zoned DP districts located in the front or secondary front yard, shall use criteria which includes, but is not limited to the following:

- (1) Unless a showing of extraordinary and exceptional conditions pertaining to the piece of property can be shown, the amount of allowable area paved for the use of a driveway or a vehicular parking area shall be limited to a width of twelve (12)

feet measured with a straight line that runs parallel to the front or secondary front lot line.

- (2) The designated vehicular parking area or driveway shall be placed so as to minimize its visual impact on the primary structure.
- (3) Driveways and vehicular parking areas shall be compatible with the existing building and the site and setting of the historic district, taking into account the level of designation. Appropriate materials are:
 - a. Protection area: Brick pavers, ~~cobblestones~~, concrete pavers, granite, concrete, asphalt, sand, gravel, or crushed stone.
 - b. Architectural conservation district: Brick pavers, ~~cobblestones~~, granite and concrete
 - c. Landmark district and individual landmarks: Brick pavers, ~~cobblestones~~, granite and concrete are appropriate. For individual landmarks, other materials may be approved by the Commission after a finding of fact that the materials in question are historically correct for the subject property.

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

Editor's note—Ord. No. 2003-022, adopted April 2, 2003 repealed former § 17-674 in its entirety and renumbered former §§ 17-765—17-678 as §§ 17-674—17-678. Repealed former § 17-674 pertained to action requiring review by DDRC and derived from the Code of 1979 and Ord. No. 98-079, adopted Nov 18, 1998.