

18-10-1-1010 - Historical preservation district overlay zoning designation process.

A.The city may designate tracts and sites for inclusion within the Historical Preservation Overlay District in the same manner prescribed for the designation of other zoning districts and subject to compliance with this chapter; however, all designations of tracts and sites for inclusion within the preservation district shall be reviewed and considered by the historical commission. Such commission shall forward its recommendation regarding a proposed designation to the city planning commission and city council.B.The initiation of a proposal of designation may be made by the applicant which may be the historical commission, the city council, the city planning commission or the owner or owners of the parcel(s) to be designated or the authorized agents of the owner or owners. Any such application shall be made upon forms or pursuant to standards set by the historical commission for this purpose.C.Notice of consideration of a district designation by the historical commission shall be the same as is required for consideration of the adoption or amendment of zoning district boundaries as set out in Section 18-1-1-114 of this Code. As a part of such notice, the city manager or his designee shall notify the owner or owners of record of affected properties by mail which shall include a copy of the proposed designation ordinance, a letter outlining the basis for the designation, and the obligations and restrictions which result from such designation.D.The historical commission, or the applicant if the applicant is not said commission, may solicit and present expert testimony or documentary evidence regarding the historical, architectural, archeological, or cultural importance of the property or district proposed for designation.E.It shall be the duty of the city manager or his designee to report to the historical commission as to the existence of such plans, programs, or authorization which might have application to the property proposed for designation, and further to offer a professional opinion as to whether or not the proposed designation is in accordance with such plans, programs or authorizations.F.As part of every such proposed designation, or proposed amendment of a designation, the historical commission shall state in written form to the city planning commission the attributes of the area or property proposed for designation or the degree to which such attributes relate to and comply with the review criteria set forth in this article. In addition, the historical commission shall state in writing:1.Whether or not, in its review, designation would be in compliance with prior actions of the city council proving plans, program or authorizations for public trusts, agencies or authorities of the city;2.The proposed design guidelines for applying the criteria for review of certificates of appropriateness to the districts proposed for designation;3.The recommendation as to appropriate permitted uses, uses permitted on review, height and area regulations, sign regulations and parking regulations necessary or appropriate to the preservation of the district proposed or designation.G.The city manager or his designee shall officially notify the historical commission of all approvals or disapprovals of designation ordinances at the next regular meeting of the historical commission following city council action. The historical commission shall have the authority to effect the amendment or repeal of any designation of a site, structure, building, district, or monument in the same manner and according to the same procedures provided herein for the original designation.

(Ord. No. 13-39, § 1, 12-10-2013)