

## ARTICLE 13

### HISTORIC CONSERVATION OVERLAY DISTRICT (HC-O)

#### Sections:

- 13-1 Intent
- 13-2 Selection Criteria
- 13-3 Uses
- 13-4 Development/Design Standards
- 13-5 Establishment of Overlay District
- 13-6 Procedure

#### SECTION 13-1 PURPOSE

**13-101.** The HC-O, Historic Conservation Overlay District, is intended to:

- a. Encourage development that conforms to the size, orientation and setting of existing buildings in a neighborhood or area;
- b. conserve and improve the value of property in and around designated landmarks and other historic properties within the community;
- c. foster and encourage preservation, restoration, and rehabilitation of structures, areas and neighborhoods;
- d. conserve the cultural resources, historic resources and property values within an identified neighborhood or area; and
- e. foster civic pride in the beauty and noble accomplishments of the past as represented in the city's landmarks, historic districts, and historic resources.

#### SECTION 13-2 SELECTION CRITERIA

**13-201.** An HC-O Overlay District must be a geographically defined area that has a significant concentration, linkage or continuity of sites that are united by physical development, architecture or history. Emphasis shall be upon compact, contiguous areas. To be eligible for HC-O overlay zoning, the underlying zoning of the area must be one or more of the following: R-1, R-2, R-3, TN, C-1, C-2, C-3, C-4 or MU; and the area must comply with the following criteria:

- a. The general pattern of development, including streets, lots and buildings, must have been established at least 50 years prior to creation of the district.
- b. The area must possess built environmental characteristics that create an identifiable setting and character.
- c. The area must be covered by a neighborhood or area plan approved by the Governing Body.

- d. The designated area must be a contiguous area of at least 3 acres in area. Areas of less than 3 acres may be designated if they abut an existing HC-O district.
- e. The area should embody distinguishing characteristics of architectural styles valuable for the study of a period, type, method of construction, or use of indigenous materials.
- f. The area should be identified as a work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community, county, state or nation.
- g. The area should embody elements of design, detailing, materials, or craftsmanship that render it architecturally significant, or structurally or architecturally innovative.
- h. The area should have a unique location or singular physical characteristics that make it an established or familiar visual feature.

### **SECTION 13-3 USES**

**13-301.** The HC-O Overlay District does not regulate the use of land or the use of buildings or structures. The uses are controlled by the regulations of the underlying base zoning district or districts.

### **SECTION 13-4 DEVELOPMENT/DESIGN STANDARDS**

**13-401.** In establishing an HC-O District, the Planning Commission is authorized to propose, and the City Commission is authorized to adopt, by ordinance, district-specific development and design standards to guide development and redevelopment within the HC-O district.

- a. When development/design standards have been approved, each application for alteration within the designated HC-O district must comply with those standards.
- b. When there are conflicts between the development standards of the underlying base zoning district and adopted HC-O district development standards, the HC-O development/design standards will govern.
- c. The development/design standards will be administered by city staff in accordance with adopted administrative policy.
- d. The City Commission is the final decision-making authority in determining whether a proposed project meets the adopted development/design standards.
- e. The Board of Zoning Appeals will have no authority to grant interpretations, exceptions or variances from the adopted development/design standards.

### **SECTION 13-5 ESTABLISHMENT OF OVERLAY DISTRICT**

**13-501.** HC-O overlay zoning is established only upon application of property owners and in accordance with the amendment procedures of Article 26, subject to the following provisions:

- a. Applications may only be initiated by petition signed by both (1) the owners of record of at least 70% of the area within the proposed HC-O district and (2) at least 70% of the number of record owners of property within the proposed district.
- b. The Planning Commission must submit written recommendations to the City Commission regarding the creation of HC-O districts.

## **SECTION 13-6 PROCEDURE**

**13-601.** Upon receipt of an application for HC-O district zoning, the following procedures apply:

- a. Unless otherwise expressly stated, the amendment procedures of Article 26 apply.
- b. Following public hearing, the Planning Commission shall make a recommendation that the HC-O district zoning be approved, approved with condition(s) or denied. The recommendation shall be accompanied by a report to the City Commission containing the following information:
  - 1. An explanation of how the area meets or does not meet the selection criteria contained in Section 13-2;
  - 2. In the case of an area found to meet the criteria in Section 13-2, a description of the general pattern of development, including streets, lots and buildings in the area;
  - 3. An explanation of the planning and zoning implications related to the designation of the proposed area and related to the district-specific development and design standards recommended by the Planning Commission;
  - 4. District-specific development and design standards to guide redevelopment and development within the district; and
  - 5. A map showing the recommended boundaries of the HC-O Overlay District.