

H HISTORICAL AREA COMBINING DISTRICT:

This is a suffix that may be added to any district, such as GCH, R-2H or TCH, etc. The city of Wells shall hereafter apply historical area standards to new development and redevelopment in such districts.

A. The purpose of this district is to preserve buildings or protect districts which have a historical, architectural, cultural or landmark value. It is also the purpose of this district to preserve, protect and enhance the historical characteristics of structures, uses and areas so designated in order to provide fiscally sound, functional, quality tourist business attractions. This designation may provide for appropriate uses heavier than those permitted in the underlying zone as an aid to owner/community effort to preserve the historical, architectural, cultural or landmark value.

B. Permitted Uses: None

C. Uses Allowed With A Special Use Permit: A special use permit review will include, but shall not be limited to, architectural design, color, construction, materials, density, site development including lot coverage, landscaping, off street parking and on site advertising. All uses in the underlying zone will be allowed with a special use permit. The planning commission, when reviewing a proposed use, shall approve, deny or conditionally approve such use.

D. Historical Designation Criteria:

1. Any building, structure, object, site, grounds or garden may be designated a "historical place" by the board if:

- a. The thing so designated has existed in basic form for more than fifty (50) years; and
- b. It is not unsound, dangerous or offensive; and
- c. It is possessed of one or more of the following characteristics:

(1) Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering or architectural past;

(2) Embodies the distinguishing characteristics of a style, period, method of construction or development in the city or serves as a valuable example of the use of indigenous materials or craftsmanship;

(3) Represents the notable work of a master builder, designer or architect;

(4) Represents a rare building type, style, design, or indigenous building form;

(5) Is identifiable with persons or events significant in local, state or national history.

2. Specific street faces, interrelated groupings of buildings, structures and grounds or other geographically designated areas of the city may be designated a "historical district" by the planning commission if:

a. It appears to constitute a fairly distinct section of the city; and

b. It is worthy of preservation and protection for significance in the historical past of the city.

3. A historical place may be located within or without a historical district.

E. Historical Designation Procedure:

1. No historical place or district shall be so designated except by resolution of the planning commission adopted after notice to owners of the property or properties which may be designated, publication and public hearing, all as provided in law.

2. Any historical district shall be identified upon the land use map of the city with a superimposed symbol "H", but no modification of the underlying zone or permitted uses is intended or allowed except as provided in this code.

3. Any historical designation may be removed or boundaries modified after notice, publication and public hearing as provided above.

F. Historical Place Or District, Regulation:

1. No permit authorizing construction, alteration, remodelling, demolition, removal, the placement of signs or other activity affecting the public appearance of a historical place or a historical district shall issue except as provided in this chapter.

2. Permits for interior work and maintenance, repairs or other activities for which no permit is required whether or not outward appearances are affected, are not governed by this chapter.

G. Application Requirements:

1. The applicant for any permit governed by this chapter, other than demolition or removal, shall submit to the appropriate permit authority such forms, plans and fees as may be required by other provisions of this code.

2. Additionally, each applicant shall submit photographs, plans, descriptions, dimensions, drawings, sketches or other information and materials significant in scope and detail to allow meaningful review and determination of the ultimate appearance and impact of the proposed project.

3. The permit authority shall offer suggestions in the preparation of an adequate application.

4. Professional quality plans, renderings or materials shall not be required but the permit authority or committee may demand additional or clarified information.

5. No additional fees shall be charged.

H. Review Procedures:

1. Without delay, the permit authority shall forward the additional materials to the planning commission for its consideration which shall follow within fourteen (14) days of receipt.

2. The planning commission shall cause notice to be given to at least all owners of property within three hundred feet (300') of the proposed project. Notice may be accomplished by mail, telephone or personal contact.

3. The planning commission shall meet with the applicant and interested persons to review and discuss the proposed project, suggest alterations if appropriate, define with particularity the intentions of the applicant and act upon the application by recommending to the permit authority:

- a. Approval with a certificate of appropriateness.
- b. Approval.

- c. Approval with specified conditions.
- d. Denial.

4. Unless time is extended with the consent of the applicant, the failure of the planning commission to transmit a recommendation to the permit authority within twenty (20) days of receipt of an application shall be deemed as approval of the project.

5. Within three (3) days of receipt of the planning commission's recommendation and upon satisfaction of other code requirements, the permit authority may accept the recommendation to include a certificate of appropriateness.

6. If recommendation is rejected or modified, the applicant and the planning commission or any person aggrieved by the decision may give notice of appeal to the board.

7. The applicant may appeal to the board of councilmen for a certificate of appropriateness.

8. No permit shall issue while an appeal is pending.

I. Standard Of Review:

1. The planning commission shall make its recommendations of projects based upon the guidelines found in the U.S. department of interior publication entitled "Standards For Historic Preservation Projects", and copies of the guidelines shall be made available for public inspection by the planning commission and permit authority.

2. The planning commission may formulate and after approval by the board of councilmen, adopt and utilize additional standards and guidelines.

J. Grounds For Planning Commission Action:

1. A proposal shall receive a recommendation of denial only if, after due consideration of individual taste and property rights it appears that the proposed project fails to address the purpose of this chapter and, if accomplished, will serve to intrude upon and detract from the place or district in which it is to be found to an extent that the purpose of this chapter could be debased.

2. All other proposals shall be approved.

K. Certificate Of Appropriateness:

1. The endorsement of a proposed project with a certificate of appropriateness shall be reserved by the planning commission for only those projects, large or small, which in all comprehensive detail including materials, colors and method is not only aesthetically compatible but will truly enhance the place or area involved and clearly reflects an effort on the part of the applicant to further the purposes of this chapter.

2. Upon completion of a project substantially conforming with a plan receiving a certificate of appropriateness all monies paid by the applicant to the city for plan checks and as residential construction tax, but not including utility related fees, shall be refunded.

L. Historical Place Demolition:

1. No permit to demolish all or part of a historical place shall issue until the matter has been submitted to the planning commission for consideration.

2. The planning commission shall recommend approval or shall endeavor to arrange a sale of the property, removal or some other alternative to demolition.

3. Unless time is extended with the consent of the applicant, an application shall be deemed recommended for approval after sixty (60) days.

M. Signs:

1. All signs on historical places or in historical districts must conform with the sign code and in addition must have an appearance, color, size, position, method of attachment, texture of materials and design in keeping with the character of the place or district.

2. Signs shall be further limited as follows:

a. No off site signs are permitted.

b. Business signs shall be limited to a single sign for each street frontage.

c. No sign may extend above the top of the nearest facade, eaves or firewall of a building or structure.

d. No sign which flashes, blinks, revolves or is otherwise in motion or which is connected to audio equipment shall be permitted, and no visible bulbs, neon tubing, luminous paints or backlight will be permitted as part of any sign.

e. Buildings and signs may be illuminated by remote light sources, provided that these light sources are shielded to protect adjacent properties.

3. The planning commission may approve exception to the limitations described above for good cause. (Ord. 138, 1-26-1988)