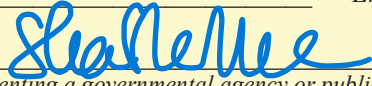




UDC Amendment Request Application for Internal Parties
(City of San Antonio Departments)

Part 1. Applicant Information

Name: Shanon Miller Organization (if applicable): Office of Historic Preservation
Address: 1901 S Alamo
Phone: 210-207-0035 Email: shanon.miller@sanantonio.gov
Signature:  Date: 1.31.22
(Include title if representing a governmental agency or public/private organization)

Part 2. Basis for Update (check only one)

- ☐ Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC
(Note: Clarification amendments should not change or alter the intent or meaning of existing UDC provisions)
- ☐ Editing change that does not alter the impact of the provisions being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law
- ☐ Completed Rule Interpretation Determination (RID)
- ☐ Requested by the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, resolution or signature of the chairperson is required)
- ☒ City of San Antonio Staff Amendment

Part 3. Reason(s) for Update (check all that apply)

- ☒ Modify procedures and standards for workability and administrative efficiency
- ☐ Eliminate unnecessary development costs
- ☐ Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design
- ☐ See Part 4 (if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4)

Part 4. Summary of Proposed Update with Suggested Text (see application instructions)

Strike of Article IV, Division 5. See Attached.

Part 5. Cost Impact Statement

Section 35-11(a) of the UDC requires that all requests for amendments include a Cost Impact Statement. The Cost Impact Statement should be justified with substantiating information, such as cost estimates or studies.

The requested change to the UDC (please check appropriate box):

By how much?

(Indicate either a dollar amount or percentage above or below current construction and/or development costs)

A. ☒ Will not impact the cost of construction and/or development.

B. ☐ Will increase the cost of construction and/or development. _____

C. ☐ Will decrease the cost of construction and/or development. _____

Part 6. Cost Impact Narrative and Back-Up Information

Please fully quantify the Cost Impact Statement that was provided in Part 5. Attach all relevant data and associated costs that you wish to have considered as well as a narrative explaining how the Cost Impact Statement was developed. If you need additional space, please attach additional sheets.

Be sure to:

- Consider and indicate initial and long-term maintenance costs;
- Consider city cost (i.e. personnel costs and costs to enforce);
- Indicate and be able to rationalize the baseline (current costs) and the cost projections associated with your request.

N/A

UDC 2021 Proposed Amendment

Amendment 20-8

Applicant: Office of Historic Preservation

Amendment Title – ‘Article IV. Division 5. – Historic and Design Review’

Amendment Language:

DIVISION 5. - HISTORIC AND DESIGN REVIEW

Procedures related to Historic Preservation and Urban Design are located in Article VI of this chapter – Historic Preservation and Urban Design.

~~STATEMENT OF PURPOSE--~~

~~This division implements the following policy of the master plan:--~~

- ~~• Urban Design, Policy 1b: Adopt an urban design review process for giving physical design direction to urban growth, conservation and character.--~~
- ~~• Goal 2: Preserve and enhance the city's historic resources.--~~

~~-~~

~~Sec. 35-450. --General Rules.--~~

- ~~(a) --Area of Jurisdiction. A certificate of appropriateness is required and shall be secured by a party prior to the issuance of a permit from the department of development services before said party will be allowed to undertake activities affecting a designated historic landmark, property within a designated historic district, a state archaeological landmark, a recorded Texas historical landmark, property within a National Register Historic District, property listed on the National Register of Historic Places, a National Historic Landmark, property within the river improvement overlay district, property within a mission protection overlay district, public property, public rights-of-way, or public art.--~~
- ~~(b) --"Commission" Defined. For purposes of this division, the term "commission" refers to the historic and design review commission.--~~
- ~~(Ord. No. 2014-10-02-0742, § 2, 10-2-14)~~

~~Sec. 35-451. --Certificate of Appropriateness.--~~

- ~~(a) --Applications proposing work or changes to the exterior of a landmark, in a historic district, in a river improvement overlay district, viewshed protection or mission protection overlay district, or a property identified as an eligible resource or recommended for historic designation in accordance [with] subsection 35-453(a) shall require review for appropriateness with the provisions of this article, and any adopted design guidelines. In addition, the demolition or relocation of any structure designated historic shall also require review for appropriateness in the same manner. Such applications may include, but are not limited to:--~~
- ~~(1) --Construction and reconstruction,--~~
 - ~~(2) --Alteration, additions, restoration and rehabilitation,--~~
 - ~~(3) --Relocation,--~~
 - ~~(4) --Stabilization,--~~
 - ~~(5) --Signage,--~~
 - ~~(6) --Landscaping,--~~
 - ~~(7) --Construction or reconstruction of a parking lot,--~~

- ~~(8) Construction or reconstruction of an appurtenance,~~
- ~~(9) Acquisition or deaccessioning of artwork,~~
- ~~(10) Demolition, and~~
- ~~(11) Lighting, furniture and seating plan, and awnings and umbrellas within the Riverwalk area and in the public right of way.~~
- ~~(b) Initiation. Applications for certificates of appropriateness shall be referred to the commission by the historic preservation officer. In the case of an application for new infill development or redevelopment of property zoned "D" Downtown, the application shall be referred to the commission by the director of the planning and community development department and shall be guided by procedures specified in the Downtown Design Guide in Appendix G of this chapter (35-G101). In the case of an application for demolition, the commission shall be guided by procedures specified in sections 35-614 to 35-617 of this chapter.~~
- ~~(c) Completeness Review. The historic preservation officer shall review an application for a certificate of appropriateness in accordance with section 35-402 of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the historic and design review commission.~~
- ~~(d) Decision.~~
- ~~(1) Commission Review. The commission shall make its written final recommendation to either approve, deny, or approve with stipulations the application within sixty (60) days after the historic preservation officer's receipt of the completed application. Applications forwarded to the commission shall include all required materials and documents from the applicant. If the commission does not make its final recommendation within a sixty-day period, the application shall be deemed recommended by the commission for approval and the city manager or her designee shall either approve, deny or approve with conditions the application within five (5) days of the applicant's demand. The sixty-day time period may be extended up to three additional times, with each time not exceeding thirty (30) days, with the concurrence of the applicant if additional time is required for the preparation of information or for research required by the commission. In cases involving demolition applications, the Historic Preservation Officer may extend this timeline consistent with subsection 35-455(d).~~
- ~~(2) City Manager Review. Upon receipt of the recommendation by the commission, or on their own initiative, the city manager or designee may implement such recommendation by notifying the applicant within ten (10) business days from receipt of such recommendation that the application has been approved, conditionally approved, or disapproved. The city manager designee for this purpose shall be the historic preservation officer, unless the city manager chooses to designate otherwise. The city manager or designee shall also submit a copy of the decision to the commission for its information, to the department of planning and development services for issuance of permits, and to other departments, as applicable. The city manager or designee shall assure the decision is based on the criteria established by the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and was considered by the commission in the determination as to issuance or denial of any certificate.~~
- ~~(3) Appeal. An applicant for a certificate may appeal the decision of the city manager or designee to the board of adjustment within thirty (30) days after receipt of notification of the city manager's action. The applicant shall be advised by the city manager or designee of the time and place of the hearing at which the appeal will be considered and shall have the right to attend and be heard as to the reasons for filing the appeal. In determining whether or not to grant the appeal, the board of adjustment shall consider the same factors as the commission and the report of the commission. If the board of adjustment approves the application, it shall direct the city manager or designee to issue a certificate for the work covered. If the board of adjustment disapproves the application, it shall direct the city manager or designee not to issue such certificate. Such disapproval may indicate what changes in the plans and specifications would meet the conditions. Upon receipt of the written disapproval of the board of adjustment, the city manager or designee shall immediately advise the applicant and the commission in writing.~~
- ~~(e) Approval Criteria (See article VI of this chapter.)~~
- ~~(f) Subsequent Applications. In the case of disapproval of an application by the board of adjustment, a new application for the same work shall not be resubmitted for consideration until one (1) year has~~

~~elapsed from the date of disapproval unless the indicated changes in the plans and specifications required to meet the conditions have been incorporated into the new application. The commission, by a majority of its membership, may waive the aforementioned time frame if the application presents new substantial evidence. If such waiver is granted, a new application shall be filed with the historic preservation officer.~~

~~(g) **Amendments.** A certificate of appropriateness shall be amended in the same manner as the approval of the original application.~~

~~(h) **Scope of Approval.** A certificate of appropriateness shall authorize only those modifications to a building or structure requested in the application and approved as provided herein. The historic and design review commission shall recommend approval, denial, or approval with conditions for the application before it, unless said application is revised with the consent of the applicant. Following commission approval of final design, defined as eighty (80) percent working drawings, and issuance of a certificate, an applicant must secure permits within one hundred eighty (180) days and start work within one hundred eighty (180) days of issuance of permits or the certificate becomes null and void and of no force or effect. Thereafter, the applicant must reapply for reissuance of a certificate to the historic preservation officer. The historic preservation officer will determine whether significant changes have occurred to the final design. If the historic preservation officer determines that significant changes have occurred, then plans must be resubmitted to the commission for rehearing and action.~~

~~(i) **Recording Procedures.** A certificate of appropriateness need not be recorded, but shall be maintained and displayed by the applicant on the premises. The historic preservation officer shall also retain a copy of the certificate of appropriateness for public inspection.~~

~~(Ord. No. 95352 § 4) (Ord. No. 98697 § 1, 4 and 6) (Ord. No. 2009-01-15-0001, § 2, 1-15-09) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2011-03-31-0240, § 2, 3-31-11) (Ord. No. 2014-04-03-0206, § 6, 4-3-14; Ord. No. [2015-12-17-1077](#), § 2, 12-17-15; Ord. No. [2017-10-05-0756](#), § 1(Att. A), 10-5-17; Ord. No. [2017-12-14-1010](#), § 2, 12-14-17)~~

~~Sec. 35-452. Certificate of Appropriateness for Administrative Approval.~~

~~(a) **Applicability.** The provisions of this section apply to a certificate of appropriateness requesting ordinary repair and maintenance and certain minor alterations or additions reviewed and approved administratively.~~

~~(b) **Initiation.** Applications for a certificate of appropriateness to authorize ordinary maintenance and repair or certain minor alterations or additions reviewed and approved administratively shall be submitted to the historic preservation officer.~~

~~(c) **Completeness Review.** The historic preservation officer shall review an application for a certificate of appropriateness in accordance with section 35-402 of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the historic and design review commission.~~

~~(d) **Decision.** Applications for ordinary repair and maintenance may be approved by the city manager or their designee. The decision may be appealed in the same manner as set forth in section 35-481.~~

~~(e) **Approval Criteria.** (See article VI, section 35-611 of this chapter.)~~

~~(f) **Subsequent Applications.** (See subsection 35-451(f) of this chapter.)~~

~~(g) **Amendments.** (See subsection 35-451(g) of this chapter.)~~

~~(h) **Scope of Approval.** (See subsection 35-451(h) of this chapter.)~~

~~(i) **Recording Procedures.** (See subsection 35-451(i) of this chapter.)~~

~~(Ord. No. 98697 § 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10; Ord. No. 2015-12-17-1077, § 2, 12-17-15)~~

~~Sec. 35-453. Permits Affecting Properties Identified as Eligible Resources or Recommended by the Historic Design and Review Commission for Historic Designation.~~

~~(a) **Applicability.**~~

~~(1) When an application is made on a building, object, site or structure that has been determined by the historic preservation officer to be an eligible resource for historic designation in accordance with this section, and when written notice informing the property owner of such a determination has been~~

- provided, then the provisions of this division shall apply to the property until the lesser of one hundred eighty (180) days of the notification or action by city council on the recommendation for designation.
- ~~(2) When an application is made on a building, object, site or structure recommended by the commission for designation as a historic landmark or of a building, object, site, structure or unimproved land located within an area recommended by the commission for designation as a historic district, then the provisions of this division shall apply to the property until action by city council on the recommendation for designation.~~
- ~~(b) **Initiation.** The applicant may apply to the commission for review of a proposed project prior to final city council action on the designation request.~~
- ~~(c) **Completeness Review.** The historic preservation officer shall review the application in accordance with section 35-402 of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the historic and design review commission.~~
- ~~(d) **Decision.** The commission shall review the application using criteria set forth in this section and shall follow all regulations and procedures used to review historic landmarks and properties in historic districts. Certificates may be issued following commission approval. Should the commission deny the applicant's request, the applicant may appeal to city council following procedures in this subdivision.~~
- ~~(e) **Approval Criteria.** The city council may authorize issuance of a certificate on a resource recommended by the commission for designation if, by formal resolution, it deems the certificate necessary for public health, welfare, or safety.~~
- ~~(f) **Subsequent Applications.** (Not applicable.)~~
- ~~(g) **Amendments.** (Not applicable.)~~
- ~~(h) **Scope of Approval.** Should the city council fail to designate the recommended building, object, site, structure or cluster as a historic landmark or the recommended area as a historic district, the director of planning and development services shall issue permits requested providing all City Code requirements are met.~~
- ~~(i) **Recording Procedures.** See subsection 35-451(i) of this chapter.~~
- (Ord. No. 98697 § 1, 4 and 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2010-11-18-0985, § 2, 11-18-10; Ord. No. 2017-10-05-0756, § 1(Att. A), 10-5-17)-

~~Sec. 35-454. -- Review of Plans for City-Owned Properties.--~~

- ~~(a) **Applicability.** The City of San Antonio and all of its boards, agencies and utilities and those corporations, firms or individuals engaged in the furnishing of telephone service, cable television, wireless service, or other public utilities to the public, shall submit plans for any construction, reconstruction, alteration, restoration, rehabilitation, relocation, stabilization, or demolition affecting any public building, object, site, structure, accessory building, fence, or other appurtenance in any city owned property or any activity which may upon completion obstruct any designated vista for review according to procedures set forth by this article, notwithstanding the provisions of section 35-104 of this chapter.~~
- ~~(b) **Initiation.** Prior to accepting construction bids on work to be done on public property, the commission, agency, utility, corporation, firm or individual shall submit to the commission project designs for review and recommendation.~~
- ~~(c) **Completeness Review.** The historic preservation officer shall review the plan review application for completeness in accordance with subsection 35-451(e) of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the historic and design review commission.~~
- ~~(d) **Decision.** (See subsection 35-451(d) of this chapter.)~~
- ~~(e) **Approval Criteria.** (See article VI, division 2 of this chapter)~~
- ~~(f) **Subsequent Applications.** (See subsection 35-451(f) of this chapter.)~~
- ~~(g) **Amendments.** (See subsection 35-451(g) of this chapter.)~~
- ~~(h) **Scope of Approval.** (See subsection 35-451(h) of this chapter.)~~
- ~~(i) **Recording Procedures.** (See subsection 35-451(i) of this chapter.)~~

(Ord. No. 98697 § 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2010-11-18-0985, § 2, 11-18-10)

~~Sec. 35-455. Demolition Permit Applications.~~

~~(a) **Applicability.** The provisions of this section apply to any application for demolition of a historic landmark (section 35-614 of this chapter). The provisions of this section apply to any historic landmark or any property located within a historic district.~~

~~(b) **Initiation.**~~

~~(1) **Historic Landmarks and Contributing Properties.** The applicant shall submit all necessary materials to the historic preservation officer, hereafter referred to as the HPO, at least fifteen (15) days prior to the HPO hearing in order that staff may review and comment and/or consult on the case. Staff and/or professional comments shall be forwarded to the HPO for consideration and review and made available to the applicant for consideration prior to the hearing. The HPO may require that an applicant furnish such additional information that is relevant to its determination of unreasonable economic hardship and may require that such additional information be furnished under seal. The HPO or its agent may also furnish additional information as the HPO believes is relevant. The HPO shall also state which form of financial proof it deems relevant and necessary to a particular case. In the event that any of the required information is not reasonably available to the applicant and cannot be obtained by the applicant, the applicant shall file with his affidavit a statement of the information which cannot be obtained and shall describe the reasons why such information cannot be obtained.~~

~~(2) **Other Demolition Permits.** All applications for permits to demolish buildings, objects, sites, or structures which are not historic landmarks, contributing properties, or an intrusion in the district shall be referred to the city HPO for the purpose of determining whether or not the building, object, site, or structure may have historical, cultural, architectural, or archaeological significance.~~

~~(c) **Completeness Review.** The historic preservation officer shall review the demolition permit application for completeness in accordance with subsection 35-451(c) of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the historic and design review commission.~~

~~(d) **Decision.**~~

~~(1) **Historic Landmarks.** Whenever an application for a certificate regarding the demolition of a landmark is submitted to the historic and design review commission, the historic and design review commission shall not hold a public hearing on the application for sixty (60) days from the date the application is received by the office of historic preservation. This time period is intended to permit the city historic preservation officer to discuss the proposed demolition informally with the property owner, other city officials, registered neighborhood associations, and local preservation organizations, to see if an alternative to demolition can be found before a formal consideration of the application by the historic and design review commission. At least one meeting with the registered neighborhood association shall occur within this period if the proposed demolition is located within a historic district. The historic preservation officer shall prepare, as a part of the submission, a report to the historic and design review commission analyzing alternatives to demolition, and request from other city departments or agencies information necessary for the preparation of this report.~~

~~If within this sixty-day period any one (1) of the following three (3) events shall occur, the historic and design review commission may defer hearing the application for six (6) months and it shall be considered to have been withdrawn by the applicant during such six-month period:~~

- ~~• The owner shall enter into a binding contract for the sale of the property,~~
- ~~• Approved arrangements shall be made for the structure to be moved to an approved new location, or~~
- ~~• The City of San Antonio shall determine to condemn the property and take it by the power of eminent domain for rehabilitation or reuse by the city or other disposition with appropriate preservation restrictions in order to promote the historic preservation purposes of this chapter to maintain the structure and protect it from demolition.~~

~~If within the sixty-day period none of the three (3) events summarized above shall have occurred, the historic and design review commission shall schedule a hearing on the demolition application at its next regularly scheduled meeting following the expiration of the sixty-day period, shall request all knowledgeable parties to comment at the hearing on the proposed demolition, and shall make its written~~

~~recommendation within thirty (30) days after hearing the request for demolition. The historic and design review commission shall also request the city engineer or a third-party consultant to prepare a report on the state of repair and structural stability of the structure for which an application to demolish has been filed. This report shall be presented to the city HPO prior to the date of the historic and design review commission's hearing on the demolition permit application, and shall become part of the administrative record on the application.~~

~~(2) — **Other Demolition Permits.** If the property is not a historic landmark, contributing property, or an intrusion in the district, the historic preservation officer shall determine whether or not the building, object, site, or structure may have historic, cultural, architectural, or archaeological significance within thirty (30) days after receipt of the completed application. In making this determination, the historic preservation officer shall apply the appropriate definitions in appendix A of this chapter, as well as any applicable standards or guidelines adopted by the city council. If the building, object, site, or structure is determined to have no cultural, historical, architectural, or archaeological significance, a demolition permit may be issued immediately, provided such application otherwise complies with the provisions of the demolition ordinance and all city code requirements. If the building, object, site, or structure is found to have significance and is determined to an eligible resource for historic designation in accordance with this section, the historic preservation officer shall notify the owner of the property in writing of such determination in accordance with this division. The historic preservation officer shall retain a written statement summarizing the reasons for their determination for such period as required under applicable record retention laws as followed by the city clerk's office. The historic preservation officer shall make such information available to the historic and design review commission for review and recommendation as to significance. If the historic and design review commission concurs in the significance, the historic and design review commission shall recommend that the building, object, site, or structure be designated as a historic landmark. Following such determination, the applicant may request a demolition permit by following the procedures for historic landmarks or properties within a historic district as prescribed in this section.~~

~~(e) — **Approval Criteria.** See article VI, section 35-614 of this chapter.~~

~~(1) — **Historic Landmark.** Should the applicant for a certificate regarding demolition of a historic landmark satisfy the historic and design review commission that he will suffer an unreasonable economic hardship if a demolition permit is not issued, or, in failing to demonstrate unreasonable economic hardship, the applicant demonstrates loss of significance which dictates demolition of the significant historic landmark, the historic and design review commission shall recommend approval of a certificate for the issuance of a demolition permit.~~

~~(2) — **Contributing Property.** Should the applicant for certificate regarding demolition of a contributing property in a historic district satisfy the historic and design review commission that he will suffer an unreasonable economic hardship if a demolition permit is not issued, or, in failing to demonstrate unreasonable economic hardship, the applicant demonstrates loss of significance which dictates demolition of the property, the historic and design review commission shall recommend approval of a certificate for the issuance of a demolition permit.~~

~~(3) — **Property Deemed to be an Intrusion into the District.** In those cases which the historic and design review commission finds that a building, object, or structure proposed for demolition is located in a historic district, but is considered an intrusion in the district, the historic and design review commission shall reaffirm the evaluation of the resource as an intrusion using criteria set forth in this article prior to recommending approval of a certificate regarding demolition. When the resource is determined to be an intrusion, the historic and design review commission shall not recommend approval of a certificate regarding demolition unless the property owner agrees to minimum landscape and maintenance requirements as specified under sections 35-615 through 35-616 and all other city ordinances and codes. In any event, when the historic and design review commission recommends approval of such certificate, demolition permits for buildings, objects, sites, or structures in historic districts shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies.~~

~~(f) — **Subsequent Applications.** (See subsection 35-451(f) of this chapter.)~~

~~(g) — **Amendments.** (See subsection 35-451(g) of this chapter.)~~

~~(h) — **Scope of Approval.**~~

- ~~(1) **Other Agency Approval Required.** When the historic and design review commission recommends approval of a certificate regarding demolition of buildings, objects, sites, or structures in historic districts, permits shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies.~~
- ~~(2) **Replacement Plans.** Following recommendation for approval of demolition, the applicant must seek approval of replacement plans consistent with the criteria set forth in sections 35-609 to 35-613 prior to receiving a demolition permit and other permits. Replacement plans for this purpose shall include, but shall not be restricted to, project concept, preliminary elevations and master development plans, and completed working drawings for at least the foundation plan which will enable the applicant to receive a permit for foundation construction. Applicants that have received a recommendation for a certificate and approval of required replacement plans shall be permitted to receive such demolition permit without additional historic and design review commission action on demolition, following the posting by the applicant of a performance bond and a payment bond in an amount sufficient to cover all construction costs and to inure to the benefit of the City of San Antonio. If a contractor has been selected, then the bonds may come from the contractor and shall inure first to the benefit of the City of San Antonio, second to the benefit of the developer.~~
- ~~(3) **Certificate for New Construction.** Applicants that have received an approval of a certificate regarding demolition shall be permitted to receive a demolition permit without additional historic and design review commission action on demolition, following the historic and design review commission's recommendation of a certificate for new construction. Permits for demolition and construction shall be issued simultaneously if requirements of section 35-609, new construction, are met, and the property owner provides financial proof of his ability to complete the project.~~
- ~~(i) **Recording Procedures.** (See subsection 35-451(i) of this chapter.) Applicants that have received a recommendation for a certificate for demolition of a historic landmark shall document buildings, objects, sites or structures which are intended to be demolished with 35mm slides or prints, preferably in black and white, and supply a set of slides or prints to the historic preservation officer. Applicants shall also prepare for the historic preservation officer a salvage strategy for reuse of building materials deemed valuable by the historic preservation officer for other preservation and restoration activities.~~
- (Ord No. 98697 § 4 and 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2010-11-18-0985, § 2, 11-18-10; Ord. No. 2015-12-17-1077, § 2, 12-17-15; Ord. No. 2017-10-05-0756, § 1(Att. A), 10-5-17; Ord. No. 2017-12-14-1010, § 2, 12-14-17)

~~Sec. 35-456. -- Certificate of Appropriateness for "D" Downtown Zoning District.~~

- ~~(a) Applications proposing infill development projects or redevelopment projects on property zoned "D" Downtown Zoning District shall require review for appropriateness with the provisions of section 35-G101 (Downtown Design Guide).~~
- ~~(b) Initiation. Applications for certificates of appropriateness for projects in the "D" Downtown Zoning District shall be referred to the historic and design review commission by the director of the planning and community development department.~~
- ~~(c) Review Process. The review process shall be as specified in the Downtown Design Guide in Appendix G of this chapter (35-G101).~~

(Ord. No. 2014-04-03-0206, § 6, 4-3-14)

~~Secs. 35-457 to 35-469. -- Reserved.~~