

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4509

**AN ORDINANCE AMENDING SECTION 21.07.040 (HISTORIC PRESERVATION) OF THE GRAND JUNCTION MUNICIPAL CODE GRANTING AUTHORITY TO THE HISTORIC PRESERVATION BOARD TO REVIEW AND DECIDE APPLICATIONS FOR ALTERATION OR CONSTRUCTION WITHIN THE NORTH SEVENTH STREET HISTORIC RESIDENTIAL DISTRICT ACCORDING TO THE GUIDELINES AND STANDARDS OF THAT DISTRICT**

Recitals.

In 1984, the 6.63+/- acre North 7<sup>th</sup> Street neighborhood was zoned Planned Development by Ordinance No. 2211. On February 17, 2010, Ordinance No. 2211 was repealed and Ordinance No. 4403 was enacted rezoning the neighborhood *Planned Residential Development – 7<sup>th</sup> Street*. In March 2012, the Plan for the *Planned Residential Development – 7<sup>th</sup> Street* was amended, and the North Seventh Street Historic Residential District Guidelines and Standards were adopted as the new Development Plan for that neighborhood.

The guidelines and standards that comprise the 2012 amendments were developed by the North 7<sup>th</sup> Street residents after a neighborhood poll, a series of meetings and with collaboration of the residents. The City planning staff and the Grand Junction Historic Preservation Board were consulted as well.

The neighborhood and City staff desire and recommend that the Historic Preservation Board be charged with the interpretation, implementation and application of the *Guidelines and Standards* to the covered properties in the North Seventh Street Historic Residential District, as defined by the Guidelines and Standards document.

After thorough review, deliberation and consideration, the City Council of the City of Grand Junction has determined that the Historic Preservation Board, with its interest and expertise in matters of historic preservation, is the appropriate body to review and decide *Certificate of Appropriateness* applications in the North Seventh Street Historic Residential District and to apply the *Guidelines and Standards* to those applications, subject to review on appeal by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT SECTION 21.07.040(b) AND 21.07.040(g) ARE AMENDED TO GRANT AUTHORITY TO THE HISTORIC PRESERVATION BOARD TO REVIEW AND DECIDE APPLICATIONS FOR ALTERATION OR CONSTRUCTION WITHIN THE NORTH SEVENTH STREET HISTORIC RESIDENTIAL DISTRICT AS FOLLOWS:

A subsection (ix) to Section 21.07.040(b)(6) (Powers and duties of Board) shall be added as follows:

(ix) Review and conduct hearings to decide applications for a *Certificate of Appropriateness* for alteration to a site and/or structure in the North Seventh Street Historic Residential District.

All other provisions of Section 21.07.040(b) shall remain in full force and effect.

Section 21.07.040(g) shall be amended as follows:

(g) Review of Alterations.

(1) City Registry. The owner of any historic structure or site on the City Registry designated pursuant to subsection (e) of this Section is requested to consult with the Historic Board before making any alteration. The Historic Board shall determine if the alteration is compatible with the designation. In reviewing a proposed alteration, the Historic Board shall consider design, finish, material, scale, mass and height. When the subject site is in an historic district, the Historic Board must also find that the proposed development is visually compatible with development on adjacent properties, as well as any guidelines adopted as part of the given historic district designation. For the purposes of this section, the term "compatible" shall mean consistent with, harmonious with and/or enhances the mixture of complementary architectural styles either of the architecture of an individual structure or the character of the surrounding structures. The Historic Board shall use the following criteria to determine compatibility of a proposed alteration:

- (i) The effect upon the general historical and architectural character of the structure and property;
- (ii) The architectural style, arrangement, texture and material used on the existing and proposed structures and their relation and compatibility with other structures;
- (iii) The size of the structure, its setbacks, its site, location, and the appropriateness thereof, when compared to existing structure and the site;
- (iv) The compatibility of accessory structures and fences with the main structure on the site, and with other structures;
- (v) The effects of the proposed work in creating, changing, destroying, or otherwise impacting the exterior architectural features of the structure upon which such work is done;

(vi) The condition of existing improvements and whether they are a hazard to public health and safety; or

(vii) The effects of the proposed work upon the protection, enhancement, perpetuation and use of the property.

(2) North Seventh Street Historic Residential District. The owner of any property within the North Seventh Street Historic Residential District shall comply with the *North Seventh Street Historic Residential District Guidelines and Standards*.

(i) Before making any construction or alteration to a site or structure, such owner shall make application to the City for a *Certificate of Appropriateness*. The Director shall make review such application for compliance with the *Guidelines and Standards* and make an initial determination and recommendation to the Board. The Director may include in that recommendation any conditions deemed appropriate to comply with the *Guidelines and Standards* and with the Zoning and Development Code.

(ii) The Board shall have jurisdiction to review City staff recommendations and to decide applications for *Certificates of Appropriateness* at a public hearing. The Board may include any conditions of approval deemed appropriate for compliance with the *Guidelines and Standards*. No owner shall construct or alter a structure or site in the District without first obtaining a *Certificate of Appropriateness* from the Board.

(iii) A decision of the Board may be appealed to City Council within 30 days of the issuance of the decision. Appeals to City Council shall be *de novo*.

(iv) All reviews pursuant to this subsection (2) shall determine if the new construction or alteration is compatible with the historic designation as provided in the *North Seventh Street Historic Residential District Guidelines and Standards*. In reviewing an application, consideration shall be given to design, siting, form, texture, setbacks, orientation, alignment, finish, material, scale, mass, height and overall visual compatibility, according to and with reference to the applicable *Guidelines and Standards of the North Seventh Street Historic Residential District*. For purposes of this section, the term "compatible" shall mean consistent with, harmonious with and/or enhancing the mixture of complementary architectural styles either of the architecture of an individual structure or the character of the surrounding structures.

Introduced on first reading this 7<sup>th</sup> day of March 2012 and authorized the publication in pamphlet form.

Passed and adopted on second reading the 21<sup>st</sup> day of March 2012 and authorized the publication in pamphlet form.



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President of the City Council

ATTEST:



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City Clerk