

CITY OF CHARLOTTESVILLE

Department of Neighborhood Development Services

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Please Take Notice

The Charlottesville Planning Commission will hold a Work Session on **Wednesday October 4, 2023, at 5pm CitySpace Main Conference room (100 5th Street NE).**

AGENDA

1. Topics of Review in Association with Zoning Ordinance Update
 - a. Charlottesville Development Code and Zoning Map Deliberation

Materials for this meeting are available here:

<https://cvilleplanstogether.com/draft-zoning/>

Public comment will be accepted in writing at the meeting or by emailing comments to creasym@charlottesville.gov during the meeting.

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

Charlottesville Development Code – Proposed Text Changes

Article 4. Development Standards

1. Sec. 4.2.2. Affordable Dwelling Units

- Increase Affordable Housing Bonus to 3 floors in NX-8, NX-10, CX-8, IX-8 zones.
- Sec. 4.2.2.C.1.b i and ii has ambiguous language implying that parking must be provided for affordable units, even in buildings that don't have any.
- In sec. 4.2.2.C.1.c.ii allow more flexibility for affordable units to have lower cost finishes.
- Separate the standards related to equivalency and concurrency for affordable units between those generally required and those required for bonus units in the residential district. Don't apply these standards to bonus units in the Residential Districts.
- Only require long-term affordability for rental units; allow ownership units to only be affordable for the first residents.
- **Staff Recommendation:**

Sec. 2.4.4.B.1. HEIGHT [also Sec. 2.5.4.B.1 and Sec. 2.6.3.B.1]

Building height (max stories/feet)

Base 8/114'

Bonus ~~10 11~~/142 156'

Sec. 2.5.5.B.1. HEIGHT

Building height (max stories/feet)

Base 10/142'

Bonus ~~10 13~~/142 184'

Sec. 4.2.2.C.1.a. Term of Affordability

i. ~~For-rent~~ Affordable dwelling units must be income-restricted for a minimum of 99 years. Deed restrictions for affordable dwelling units must be recorded in the Charlottesville Land Records.

ii. For-Sale affordable dwelling units must be sold to a qualifying purchaser who earns 60% of the area median income or below. The dwelling unit must include a deed restriction granting the City of Charlottesville or a qualifying non-profit organization a right of first refusal to repurchase the home upon its first resale. The repurchase price must be established by an appraisal. This deed restriction must be recorded in the Charlottesville Land Records.

iii. When a project demonstrates the affordability goals of the Comprehensive Plan and Affordable Housing Plan and the intent of this Section are met, the Administrator may accept modifications to these requirements consistent with the guidance of the Affordable Dwelling Unit Monitoring and Procedures Manual.

Sec. 4.2.2.C.1.c. Equivalency of Units

ii. Affordable dwelling units must include the same interior features as the other units in the same building, but appliances and finishes need not be the same make, model, or style, so long as they are new and of good quality.

Sec. 4.2.2.C.3. Affordable Dwelling Unit Bonus

a. Bonus in Residential Districts

In Residential A (R-A), Residential B (R-B), and Residential C (R-C) zoning districts, a project must provide 100% of all bonus units to households at or below 60% AMI. When a project demonstrates the affordability goals of the Comprehensive Plan and Affordable Housing Plan and the intent of this Section are met, the Administrator may accept modifications to the equivalency requirements of Sec. 4.2.2.C.1.c. and the concurrency requirements of Sec. 4.2.2.C.1.d.

2. Sec. 4.3. Blocks and Connectivity

- In section 4.3.2.B.1.a. can the requirement to have a new block bounded on all sides by streets be waived in order to allow a side to be bound by a park?
- Section 4.3.2.A.3. allows a waiver to increase the block length to 1200' but sec. 4.3.2.B.1.b limits the perimeter to 1600' thus also requiring waiver language.
- Where is the measurement in sec. 4.3.2.B.2.a.iv. taken from?
- Should a pedestrian passage break the block so as to make no segment longer than 600' rather than the 125' minimum from a street edge? *[No – this approach achieves the objective of breaking up the block and providing pedestrian passage in a way that is more flexible, allowing for site conditions]*
- **Staff Recommendations:**

Sec. 4.3.2.A. Applicability

3. The Administrator may increase maximum block length standards to 1,200 feet (with a commiserate increase in the maximum allowed block perimeter as necessary) for portions of the site that abut and are located within 600 feet of obstructions to the street network that are permanent and accessible. Accessible obstructions include public school campuses, public park land, waterways, stream buffers, cemeteries, and other similar obstructions.

Sec. 4.3.2.B.1. Block Perimeter and Length

a. A block must be bound by public or private streets on all sides. The Administrator may allow one side of a block to abut public park land or similar publicly accessible spaces.

Sec. 4.3.2.C.3. Pedestrian Passageways

c. The degree of pedestrian passageway variance from an access point on a primary street is measured from the farthest edges of the pedestrian passageway.

3. Sec. 4.4. Streets

- Street grade approved at 240 Stribling was 10%. No change necessary.
- Add: 4.4.5.C – “Streetscapes must be designed and developed in a manner that will preserve existing trees in the right-of-way to the greatest extent possible.”
- **Staff Recommendations:**

Sec. 4.4.5.C. Greenscape Zone

6. The greenscape zone must be designed to preserve existing trees to the greatest extent possible.

4. Sec. 4.5. Access and Parking

- In sec. 4.5.1.C.2. pedestrian access type 1 the pedestrian accessway spacing says “see District”. Can this be further clarified? *[Is referring to the entry spacing standards.]*
- In sec. 4.5.1.C.3.a.i.e. can the requirement for an ADA compliant route between the RoW and the building also allow for, as an alternative, a compliant route between the building and the parking area? *[As long as the project still meets ADA requirements. This line was added to address ADA concerns.]*
- Sec. 4.5.3.D.1.a.ii – Merged sections.
- **Staff Recommendations:**

Sec. 4.5.1.C.2. Pedestrian Connection Types

PEDESTRIAN ACCESS TYPE 1

ACCESS STANDARDS

Pedestrian Accessway type	Direct
Pedestrian accessway spacing (max)	See District Entrance Standards
Distance from street intersection (max)	See District Entrance Standards

Sec. 4.5.1.C.3.a.i. Linked

e) Where a retaining wall, open drainage, or similar obstacle interrupts a required accessway, the connection must be designed to facilitate passage through or over the obstacle. ~~If the connection is not ADA compliant, a separate, compliant accessway must be provided.~~

OR

e) Where a retaining wall, open drainage, or similar obstacle interrupts a required accessway, the connection must be designed to facilitate passage through or over the obstacle. If the connection is not ADA compliant, [the Administrator may require](#) a separate, compliant accessway ~~must be provided~~.

Sec. 4.5.3.D.1.a.

ii. Spacing between driveways on abutting parcels should be such that driveways are not immediately adjacent to one another.

iii. For driveways serving parking lots or structures with 6 or more spaces, minimum spacing between driveways must be no less than 100 feet, unless otherwise permitted by the Administrator.

5. Sec. 4.7. Transitions and Screening

- Sec. 4.7.1.C.2.a. appears to prohibit 2-lane vehicular access to larger buildings from alleys? *[Are not prohibited, see sec. 4.7.2.C.1.b].*
- Sec. 4.7.2.C.1.b. appears to limit breaks to 10 feet and not allow for a 2-lane drive for parking? *[10-foot limit is only for bike / ped breaks].*
- Sec. 4.7.2.C. provides for two screening types with the only difference being a single evergreen tree. Can these be consolidated? *[Requirements are easier to understand presented in this way].*
- Sec. 4.7.2.C. appears to potentially introduce a conflict with district fence height limits? *[these rules apply at the rear or side of lots where two districts abut. The District fence rules only apply to street-facing fences. No conflict].*
- In above, would the screen for a loading area conflict with district standards? *[Loading could be allowed in side yard in some districts where the 6' fence height is also allowed – IX districts.]*

6. Sec. 4.8. Fences and Walls

- Allow chain link fences (sec. 4.8.1.C.1.d.).
- Measurement of fences on walls in sec. 4.8.1.D.1.c. – could prevent guard rail of sufficient height.
- In sec. 4.8.1.D.2.c. Do we need to add a case where a fence is not abutting an alley but maybe some feet away on a rise. Measure from the top of the grade to the top of the fence. *[No]*
- Sec. 4.8.1.D.3.b. implies that if a fence has finials or posts that stick up higher than the fence, those become part of the rectangle defining the fence. Usually those are exempt from the height definition of a fence – that should be clarified somewhere.
- **Staff Recommendations:**

Sec. 4.8.1.C.1. Material

d. ~~Chain link fences are not allowed in front or side street yards except in the following districts: Industrial Flex (IX-), Campus (CM), and Civic (CV). When allowed, chain link fences must be vinyl coated.~~

Sec. 4.8.1.D.1. Front and Side Street Yards

c. When a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, the height is measured from the top of the wall or

fence to the midpoint of the retaining wall except that where the fence or wall serves as a guardrail, a minimum height of 42 inches is allowed.

Sec. 4.8.1.D.2. Side and Rear Yards

b. When a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, the height is measured from the top of the wall or fence to the midpoint of the retaining wall except that where the fence or wall serves as a guardrail, a minimum height of 42 inches is allowed.

Sec. 4.8.1.D.2. Side and Rear Yards

c. Fences and walls that are located in the rear or side yard abutting an alley are measured from the surface of the adjacent alley, vertically to the topmost point of the wall or fence.

Sec. 4.8.1.D.3. Opacity

b. The total area of the fence or wall is measured as the smallest regular shape containing all elements of the fence or wall, excluding the top portions of finials or posts.

7. Sec. 4.9. Landscaping

- Sec. 4.9.2.C.1.d. suggest deleting reference to an irrigation system must be provided.
- Sec. 4.9.2.C.3. Create an exception to the rule limiting trees under powerlines to 20' or lower.
- 4.9.1.A – Intent “Please change, “convenient, attractive and harmonious community,” to “convenient, attractive, harmonious, sustainable and resilient community.” It is important to state explicitly that environmental sustainability and climate resilience are important goals of this section.
- **Staff Recommendations:**

Sec. 4.9.1. Tree Preservation and Replacement

A. Intent

To facilitate the creation of a convenient, attractive, ~~and~~ harmonious, sustainable, and resilient community and to protect and maintain the environmental quality in the City by providing standards for the preservation of trees as a part of the land development process, including the protection of specimen trees while providing for reasonable use of land, in support of a healthy urban ecological system.

Sec. 4.9.2.C.1. General

d. Plant materials must be able to survive on natural rainfall once established with no loss of health, ~~or an irrigation system must be provided.~~

Sec. 4.9.2.C.3. Trees

b. Only trees having a mature height of less than 20 feet may be installed under overhead utility lines, except with the approval of the Administrator.

8. Sec. 4.11. Signs

- In sec. 4.11.4.B.5. clarify the off-premise sign rules. *[An off-premise sign is a sign relating to a business or other entity not located on the premises. The second sentence of this section allows for the sign of a previous tenant to remain up for not more than 30 days. This sentence serves as an exemption from the rule of the first sentence as once a tenant leaves, their sign effectively becomes an off-premise sign].*
- In sec. 4.11.6.A.2. suggest deleting ADC Districts or IPPs. Why single out ADCDs from elsewhere? *[this is existing language.]*
- Sec. 4.11.8. – Are these first reviewed before going to Council? *[Yes]*
- Sec. 4.11.9.A. - What is the difference between an entrance sign and a monument sign, and why is one not allowed in the ADCDs? Why do we regulate the size of typeface – some of these may be on pedestrian routes, and what does it matter if the type is smaller than 9"? There are small historic pole signs in ADCDs. If these are reviewed by the preservation planner, then again, I don't know why they are not allowed in the ADCDs. Delete All Other ADC Districts column from this table. *[This reflects existing language].*
- Sec. 4.11.9.H. - Why must they be coordinated for color and lettering. If there are different tenants, they may want different branding. Delete this requirement. *[Existing language].*
- Sec. 4.11.9.M. – Why in a landscaped bed. *[Existing language].*
- Sec. 4.11.9.D.2. - Strike (a) – allow awning signage to be placed on the side of an awning where pedestrians can see it.
- Sec. 4.11.11.C. - If any color other than red is OK, why prohibit red? *[Red is reserved for emergency services].* A better regulation would be that any use of colored light in a sign shall not cast light beyond the sign itself, for example on the building, any walkways, or in the right of way. Green, yellow, purple, etc. light spillover from a sign is just as annoying as red.
- Sec. 4.11.11.E. - We currently allow internally lit signs as long as only the type face is illuminated and not the background. There's no reason to change this.
- Sec. 4.11.13. - Does this section conflict with sec. 4.11.4.B.5 with regard to off-premise signs? *[No].*
- **Staff Recommendations:**

Sec. 4.11.6.A.

2. Large temporary signs are not permitted in Residential (R-), ~~ADC~~ Districts ~~or IPPs~~.

Sec. 4.11.9.D.2. General Standards

~~a. An awning sign must be placed on the face of the valance of the awning that are parallel to the building face.~~

Sec. 4.11.9.H.2. General Standards

~~d. All wall signs for a single building must be coordinated as to color and lettering.~~

Sec. 4.11.9.M.2. General Standards

~~a. A suspended pole sign must be located in a landscaped bed.~~

Sec. 4.11.11. Illumination

~~E. Internally lit signs are not allowed in ADC Districts.~~

9. Sec. 4.12. Outdoor Lighting

- Add an exemption or allowance for string lights. [*String lights are not prohibited*].
- Sec. 4.12.2.C.2 - Holiday decorative lighting should comply with the regs so it doesn't matter how long it's up for. We shouldn't be allowing any holiday lighting that does not comply. Delete the words "or holiday lighting".
- Sec. 4.12.2.C.3. - Flag lighting should still comply and not create glare on adjacent properties or the right of way. [*Suggest allowing this lighting*].
- Sec. 4.12.2.C.4. - Security lighting this bright really shouldn't be allowed in the R-districts, and it shouldn't be exempt. [*Suggest allowing this lighting*].
- Sec. 4.12.3.B.2. - Don't say a light source must be yellow. This is not enforceable. Use a color temperature of 3000K. 3000K is sold as "warm white" – not "yellow". Some 3500K may slip by, but we won't end up with any bluish 4000K lights, and we don't actually want true yellow lights.
- Sec. 4.12.3.B.3. - Lighting must not trespass onto adjacent properties, sidewalks, or rights-of-way. What does this mean in a practical sense, and is it measurable? Can we say, the light source will not be visible from adjacent properties, sidewalks, or rights of way, and the maximum footcandles at the property line shall be 0?
- Sec. 4.12.3.C.1. - Light fixtures within parking lots and motor vehicle use areas may be no higher than 20 feet. What about lights on rooftop parking garages? This is where it is useful to say the light source will not be visible. [*This rule applies to parking lots, not structures. As the code is silent on structures, all other rules apply*].
- Sec. 4.12.3.C.4.a. - 3000 lumens is the equivalent of a 200 watt incandescent bulb. This is too bright. Reduce to 1600 lumens – preferably lower for unshielded fixtures.
- Sec. 4.12.3.F.3. - We need to set a maximum lumen output for any architectural uplights. There is always spillover into the sky. Uplighting of trees shouldn't be allowed if we are serious about dark sky.
- Sec. 4.12.3.G.c – This section duplicates C.2. [*Yes and no – lets keep*].
- **Staff Recommendations:**

Sec. 4.12.2.C. Exemptions

2. Construction, ~~or~~ emergency, ~~or holiday decorative~~ lighting, provided that the lighting is temporary and is discontinued within 7 days of completion of the project, ~~or~~ emergency, ~~or holiday~~ for which the lighting was provided.

~~3. Lighting of the United States of America or Commonwealth of Virginia flags and other non-commercial flags expressing constitutionally protected speech.~~

~~4. Security lighting controlled by sensors, generating a maximum of 6,000 lumens per fixture, and which provides illumination for 15 minutes or less.~~

Sec. 4.12.3.B. Design and Installation

2. Light sources must ~~be yellow and not white~~ use a color temperature of 3,000, with a Color Rendering Index (CRI) value of 80 or higher.

3. Lighting must not trespass onto adjacent properties, sidewalks, or rights-of-way and the maximum footcandles at the property line must be 0.

Sec. 4.12.3.C.4.

a. Non-cutoff (unshielded) fixtures may be used when the maximum initial lumens generated by each fixture is less than ~~3,000~~ 1,600 lumens.

Sec. 4.12.3.F. Building Lighting

3. Only lighting used to accent architectural features, landscapes, or art may be directed upward, provided that the fixture is located, aimed, or shielded to minimize light spill into the night sky. Such lighting must have a maximum of 1,600 lumens.

10. Sec. 5.1. Authority

- Sec. 5.1.5.C.1.b.ii. - Why is this different from section v. above? Shouldn't they be the same? [*Existing language. Likely reflecting that ADCs are meant to be more restrictive than HCs*].

11. Sec. 5.2. Approval Processes

- Sec. 5.2.7.D.1.c. – Delete reference to the Secretary of the Interior Standards for Rehabilitation as it sets up conflicts with our own guidelines.
- Sec. 5.2.8.C.2.a – Typo – “will to decide”
- Sec. 5.2.9.D.1.b.i. - “tale action” (typo for “take action”).
- **Staff Recommendations:**

Sec. 5.2.7.D.1

c. The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. 67.7(b)), as may be relevant. Where there is a conflict between the Secretary of the Interior Standards for Rehabilitation and the City's design guidelines, the City's design guidelines prevail.

Sec. 5.2.8.C.2. Entrance Corridor Review Board Decision

a. The Entrance Corridor Review Board will ~~to~~ decide on a Certificate of Appropriateness for a Corridor Review when:

Sec. 5.2.9.D.1.b. Planning Commission Decision

i. The Planning Commission will ~~take~~ take action on a Development Plan when:

12. Sec. 6.2. Subdivision Standards

- Add exemption for open space lands held in common ownership in sec. 6.2.1.A.2.
- **Staff Recommendations:**

Sec. 6.2.1.A. General Standards

2. Lot standards do not apply when a lot is to be conveyed to the City or held in common ownership for open space, recreation, or conservation purposes only, and the plat contains a notation that no building permit will be issued for the lot unless it satisfies the lot requirements of this Division and the building permit is consistent with open space, recreation or conservation uses.

13. Sec. 7.1. General Standards

- Sec. 7.1.2.A.2.c – Why are trellises, arbors, pergolas, basketball hoops, and volleyball nets set back any distance from a property line? [*Keeping these from being close to the property line. This section defines these uses as something that can encroach beyond the setback line with the standards in Article 2 defining the extent of that allowed encroachment*].
- Sec. 7.1.2.A.2.c – Need to add a section for free-standing enclosed structures (sheds, doghouses, chicken coops, greenhouses, etc.) [*These are considered accessory structures*].

14. Sec. 7.2. Definitions

- Does Active Depth include restrooms? [*Looks like no. Could be added to sec. 2.10.10.B.3.b. or restrooms can be defined as part of Active Spaces*].
- How is Household different from group living in a boarding house? [*Members of a household have common access to all living spaces, including bedrooms and bathrooms. Boarding houses and similar group living environments have "lockout" rooms that do not*

allow general access – ie people can lock their bedrooms and exclude all other residents from them].

- Definitions - Residential treatment facility – “Behavior Health” (typo for “Behavioral Health”)
- **Staff Recommendations:**

Sec. 7.2 Definitions

R

Residential treatment facility. A residential facility licensed by the Virginia Department of Behavior^a Health and Developmental Services or the Virginia Department of Social Services, where up to 8 persons reside together with one or more resident counselors or other resident staff.

Potential Edits to the Historic District Provisions

1. Sec. 2.9.2.B.

1. Downtown Architectural Design Control District ~~(DADC)~~

2. Sec. 2.9.2.C.

1. City Council may, by ordinance, from time to time, designate additional properties and areas for inclusion within an ADC District; or remove properties from a ADC District. Any such action will be undertaken following the rules and procedures applicable to the adoption of amendments to the City's Development Code and official zoning map.

3. Sec. 2.9.2.C.

3. Before an area is designated as an Architectural Design Control District, each structure will be determined to be either "contributing" or "non-contributing." Thereafter, at least once every 15 years, this determination will be reconfirmed.

4. Sec. 5.1.5.C.1. General

a. In order to administer the provisions of the Architectural Design Control Districts and the Individually Protected Properties the Board of Architecture Review (BAR) must:

5. Sec. 5.2.6.A.2. Architectural Design Control District and Individually Protected Property

e. Structural changes to a building or structure which do not require issuance of a building permit under the Uniform Statewide Building Code except for the following, which must be reviewed by the BAR: replacement, if not in-kind, of roof coverings and installation or replacement, if not in-kind, of siding on any buildings or structures, and replacement of windows and doors on any buildings or structures.

6. Sec. 5.2.7.A.1. Architectural Design Control District and Individually Protected Property

~~d. Applications for signs that require a permit, associated with a new construction project.~~

7. Sec. 5.2.7.A.1. Architectural Design Control District and Individually Protected Property

e. Any replacement of windows and doors, not in-kind replacement of roof coverings, and installation or not in-kind replacement of siding, on any buildings or structures.

8. Sec. 5.2.7.A.2. Historic Conservation District

a. Construction ~~erection, alteration, or demolition~~ of ~~certain~~ buildings, structures, or improvements, ~~of new buildings and structures~~ that require a building permit, and are visible from any abutting street (hidden from view by vegetation or a fence is still considered visible for the purposes of this section).

b. Additions or alterations to existing buildings or structures that are:

9. Sec. 5.2.7.C.2. Board of Architectural Review Decision

c. ~~Architectural Design Control District and Individually Protected Property~~

The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition would be compatible with the scale and character of the Architectural Design Control District, Individually Protected Property, or Historic Conservation District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions. Conditions may require a reduction in height or massing, consistent with the City's design guidelines.

~~The BAR, or City Council on appeal, may make such requirements for, and conditions of approval as are necessary or desirable to protect the safety of adjacent buildings, structures, or properties, and of any persons present thereon; and, in the case of a partial removal, encapsulation or demolition:~~

- ~~i. To protect the structural integrity of the portions of a building or structure which are to remain following the activity that is the subject of a building permit,~~
- ~~or~~
- ~~ii. To protect historic or architecturally significant features on the portions of a building or structure which are to remain following the activity that is the subject of a building permit.~~

d. ~~Historic Conservation District~~ Demolition

~~The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition would be compatible with the scale and character of the Historic Conservation District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions.~~

The BAR, or City Council on appeal, may make such requirements for, and conditions of approval as are necessary or desirable to protect the safety of adjacent buildings, structures, or properties, and of any persons present thereon; and, in the case of a partial removal, encapsulation or demolition:

- i. To protect the structural integrity of the portions of a building or structure which are to remain following the activity that is the subject of a building permit, or
- ii. To protect historic or architecturally significant features on the portions of a building or structure which are to remain following the activity that is the subject of a building permit.

10. Sec. 5.2.7.D. Criteria for Review and Decision

1. Architectural Design Control District and Individually Protected Property

Review of the proposed construction, reconstruction, alteration or restoration of a building or structure is limited to exterior architectural features, including signs, and the following features and factors:

- a. Whether the material, texture, color, height, scale, mass, and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable District;
- b. The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs, and signs;
- c. The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant. Where there is a conflict between the Secretary of the Interior Standards for Rehabilitation and the City's design guidelines, the City's design guidelines prevail;
- d. The effect of the proposed change on the adjacent building or structures;
- e. The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls, and walks;
- f. Whether the proposed method of construction, renovation, or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;
- g. When reviewing any proposed sign as part of an application under consideration, the standards set forth within Div. 4.11. Signs will be applied; and
- h. Any applicable provisions of the City's design guidelines.

2. Historic Conservation District

Review of the proposed construction, reconstruction, alteration or restoration of a building or structure is limited to exterior architectural features, including signs, and the following features and factors:

- a. Whether the form, height, scale, mass and placement of the proposed construction are visually and architecturally compatible with the site and the applicable conservation district;
- b. The harmony of the proposed changes in terms of overall proportion and the size and placement of entrances and windows;

- c. The impact of the proposed change on the essential architectural form and integrity of the existing building;
- d. The effect of the proposed change on the adjacent building or structures;
- e. Any applicable provisions of the city's conservation district design guidelines.

11. Sec. 5.4.4.A.

2. The following conduct is hereby declared to be unlawful and subject to the enforcement provisions of this Division:

- d. Failure to maintain or repair a contributing structure or protected property as identified in Sec. 2.9.2. Architectural Design Control District (-ADC), Sec. 2.9.3. Individually Protected Properties (-IPP), and Sec. 2.9.4. Historic Conservation District (-HC). Contributing structures and protected properties may not be allowed to fall into a state of disrepair that could result in the deterioration of any exterior appurtenance or architectural feature so as to produce a detrimental effect upon the character of a design district or the life and character of a contributing structure or protected property.