

Heritage Overlay Districts Background

Detail:

The heritage overlay district is an overlay zoning district that is intended to maintain, protect, conserve and preserve residential areas with a distinct visual identity by regulating development to ensure compatibility with the existing style, character or identity of the district area. This provision in the Land Development Code allows property owners the opportunity to request the city to impose additional regulatory requirements on their residential area in order to help conserve the design and visual characteristics that give the area a distinct identity and a harmonious appearance.

Up to this point in time, the heritage overlay district has never been used. Sec. 30-4.27.D and E list the criteria that need to be met for an area to be designated a heritage overlay district. One of the criteria is that the properties for the district shall have RSF-1, RSF-2, RSF-3 RSF-4, or RC zoning, leaving out other zoning districts that may have residential areas that have distinctive style and character.

The process involves review and approval by the City Plan Board and the City Commission. Architectural expertise will be needed by the applicants to meet criteria in order for the area to be eligible for designation as a heritage district. These criteria involve identifying visual characteristics that create a distinct identity, determining that an area has distinguishing characteristics of an architectural style, or identifying the character of a geographically definable area possessing a significant concentration of buildings or structures united by its plan or physical development.

The heritage overlay district may be used if there were more zoning districts that were eligible for designation. Several districts outside of the single-family districts and RC can have significant amounts of single-family development, including RMF-5 and Urban 1. Both districts have maximum densities that are comparable with the current eligible zones (12 units per acre for RMF-5 and RC; 8 units per acre for Urban 1 and RSF-4). The uses allowed by the single-family districts and Urban 1 are very similar.

The procedure for application and designation of a heritage overlay district involves the submittal of a petition requesting imposition of the overlay district on a particular area. Section 30-4.27.F.2.a. indicates that the petitioner shall be an owner of property within the area and shall be the designated contact person responsible for processing the petition with the city. This implies that the process of establishing a heritage overlay district is a neighborhood process where the work is done by the citizens who live in the area. However the work involved (as well as the cost of processing the item through the City review process) is comparable to a zoning change or some type of development plan review, which would likely be processed through the City by an engineering/architecture/planning firm. Section 30-4.27.F.2.a. could be amended to allow the petitioner to be an agent who is representing a property owner in the designated area or the neighborhood area as a whole.

Discussion/ Notes:

If a heritage overlay district is established, it will have a heritage overlay district board to vote on all of the regulated work items as specified in the design standards report. There appears to be no provision for staff approval of particular items that fall below a certain threshold.

There may be a financial burden for those areas that may want to become a heritage overlay district. The cost of establishing a district is the same as for a rezoning (\$3,391.25) and there would be additional costs in hiring an engineering/architecture/planning firm to do the survey work and come up with guidelines. The City may want to consider using staff to work with these areas and come up with guidelines but there may be a cost in terms of more funding and possibly more staff needed to do the necessary work.