

SSMID – November 6, 2019
DDBA – November 20, 2019
Retail Committee - January 14, 2020
Can this be mailed directly to businesses downtown?
DHPC – endorsement – February 10, 2020
City Council work session – February 24, 2020

Black lettering – original text
Red lettering – new text
Highlight or red – modified text

Meet with contractors and realtors

Realtors – March 3, 2020
Planning & Zoning Commission review – March 9, 2020
Planning & Zoning Commission review – April 11, 2020
Planning & Zoning Commission public hearing and recommendation – May 11, 2020

City Council public hearing and first reading – June 15, 2020
Ordinance 1251 posted on city website, shared with Chamber, and City FaceBook page – June 15

ORDINANCE NO. 1251

AN ORDINANCE AMENDING CHAPTER 15.04 OF THE MUNICIPAL CODE OF THE CITY OF DECORAH RELATED TO DESIGN CRITERIA FOR NEW CONSTRUCTION AND EXTERIOR RENOVATION OF STRUCTURES WITHIN THE C-3 CENTRAL BUSINESS COMMERCIAL ZONING DISTRICT WITHIN THE CITY OF DECORAH, IA.

WHEREAS, the City Council of the City of Decorah finds the Central Business District is rich in character, architectural beauty, and is vital part of Decorah, which showcases the vitality of the community and provides a gathering place that contributes to the City's identity. Decorah is home to varied architecture, and the eclectic mix adds visual interest and charm to the City; and

WHEREAS, the C-3 Central Business Commercial Zoning District has been added to the US National Register of Historic Places, a testament to the architectural significance of the District and the buildings and structures in it; and;

WHEREAS, the City finds it necessary to continue to protect and preserve that architectural beauty and character and support the look and feel of the Downtown; and;

WHEREAS, the City wishes to ensure that new construction and exterior renovation of structures within the C-3 Central Business Commercial Zoning District continues to be in harmony with the desired architectural themes present in the Downtown; and

WHEREAS, the City Council of the City of Decorah wishes to amend the Municipal Code of the City of Decorah regarding the design criteria, application process, and review procedures to update the best practices in the Downtown; and

WHEREAS, the purpose of this amendment to the City Code is to protect the historic and architectural characteristics of the Downtown by providing for design criteria, guidelines, and review processes of new construction and exterior renovation of structures within said district within the City of Decorah.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Decorah, Iowa, as follows:

Chapter 15.04 - DESIGN CRITERIA Sections:

15.04.010 - Purpose and intent.

The purpose of this chapter is to establish minimum standards for the design of new construction or exterior renovation of existing structures in the C-3 central business commercial district for the city of Decorah, Iowa, to accomplish the following objectives. (sign and building guidelines available in appendices.)

- A. Both new and rehabilitation projects should be constructed to be long lasting. These projects should use materials that maintain the distinct character and harmony of the downtown, **with special attention to the building's historic features, and with awareness of the 2017 National Register of Historic Places designation for the Decorah Commercial Historic District;**

- B. Maintain the distinctive character of the district and avoid plain facades especially at street and alley elevations;
- C. Rooflines should mimic the separate yet complementary rhythm of existing buildings;
- D. To break up the monotonous appearance of long facades;
- E. To enhance the unique characteristics of the downtown while ~~providing~~ **allowing for** sun protection for display windows, shelter for pedestrians and ~~sign panel~~ **signage** for businesses;
- F. Utility areas and mechanical equipment should be designed so that they do not detract from the aesthetic appeal of the C-3 zoning district;
- G. To provide a rear entrance to the buildings that is aesthetically appealing as well as functional;
- H. To provide adequate lighting at entrances and exits to meet life safety requirements and to enhance the design and appeal of the development without encroaching on neighboring properties;
- I. Maintain a pedestrian-friendly environment without clutter and without blocking vehicle or pedestrian flow.
(Ord. 1075 § 1 (part), 2005)

15.04.020 - Definitions.

For use in this chapter, certain terms or words used shall be interpreted or defined as follows: Words used in the present tense shall include the future; the singular shall include the plural; the plural shall include the singular; and, the term "shall" shall always be mandatory.

"Alteration" means any act or process which changes the exterior appearance of a structure, site or area including, but not limited to, the erection, construction, reconstruction, restoration, removal or demolition of any structure or part thereof, excavation or the addition of an improvement, and **including window and door replacements, and visible elevation painting of murals and signage on existing facades. in new colors. excludes regular building maintenance such as painting or tuck pointing.**

"Demolition" means any act or process which destroys in part or in whole a structure.

"Exterior features" means the architectural style and the general design and arrangement of the exterior of a structure, including, but not limited to, the kind and texture of the building material(s), and the type, style and arrangement of all windows, doors, light fixtures, signs and other appurtenant elements, or the natural features of a structure. In the case of outdoor advertising signs, "exterior feature" includes the style, material, size and location of the sign.

"Improvement" means any building, structure, parking facility, fence, gate, wall, work of art or other object constituting a physical betterment of real property, or part of such betterment.

"Maintenance" means and refers to those routine repairs, up-keep, replacements, and other similar tasks, and maintenance of the premises, including but not limited to, the fixtures in such manner as to keep the premises in good and sanitary order, condition, and repair, including tuck pointing.

"Minor Alteration" means any act or process which minimally changes the exterior appearance of a structure, site or area including, but not limited to, the minor repairs or modifications to railings, cornices, eaves, overhangs, steps, walks, and window dressings, reconstruction, restoration, removal or demolition of any non-structural component of a façade or building.

"Owner of record" means any person, firm, corporation or other legal entity listed as owner on the records of the county recorder of Winneshiek County.

"Renovation" means the major alteration of visible elements, demolition and replacement of visual elements, and replacement of visual elements after damage by fire or natural disaster of an existing structure. Renovation required due to damage caused by accidental fire, flood, accident or weather shall ~~restore the structure to its previous condition or may voluntarily~~ meet the standards set forth in this chapter.
(Ord. 1075 § 1 (part), 2005)

15.04.030 - Permit required.

Every owner of any tract or parcel of land located within the C-3 central business commercial zoning district of the city of Decorah who constructs a new structure, ~~or proposes an alteration, improvement, or renovation of~~ ~~or renovates~~ the exterior of an existing structure, shall obtain a permit before proceeding with the new construction or exterior renovation. ~~Permits are not required for~~ building maintenance.
(Ord. 1075 § 1 (part), 2005)

15.04.040 - Procedure for issuance of a permit.

~~Before submitting an application for a design criteria permit, building owners are encouraged to consult with the zoning administrator and with the city's historic preservation commission, and to consult any available design guidelines interpreting these ordinances.~~ Application for a design criteria permit shall be made to the city's zoning administrator, shall be accompanied with payment of a fee ~~in the amount established by the City Council of fifty dollars~~ and shall be submitted ~~by the first fifteenth of the month, with the expectation that complete applications will be acted upon within approximately one month. two weeks prior to the next scheduled meeting of the planning and zoning commission.~~ Applications for minor alterations may be approved by the zoning administrator, who will inform all members of the historic preservation and the planning and zoning commissions of the action.

~~In cases of more substantial alterations, the~~ ~~The~~ zoning administrator shall submit the application to all historic preservation commission members. The commission will indicate whether it has reviewed the application ~~may review the application and may submit an advisory recommendation to the planning and zoning commission.~~ The zoning administrator shall ~~also immediately~~ forward the application to each member of the planning and zoning commission. The planning and zoning commission shall review the application for conformity with the regulations and standards contained in this chapter and may confer with the property owner on changes deemed advisable. The planning and zoning commission shall either approve or disapprove of the application and submit it to the city council. The city council shall, upon receipt of the action of the planning and zoning commission, either approve or disapprove the application for the proposed design criteria permit. If approved, the permit shall then be issued by the zoning administrator. Any permit issued under the provisions of this section must have the construction or restoration completed within three years of issuance. In the event that the developments are not completed within the allotted time period, the owner will be required to file a performance bond in an amount to be determined by the planning and zoning commission if the construction is underway at the time of the expiration of the three-year time period.

All applications for permit shall include the following, as applies:

A. Demonstration and compliance with existing site plan approval procedures of the municipal code of the city of Decorah;

B. Building design information including the following:

1. Accurate, detailed scale drawings and elevations illustrating the proposed construction or alteration. All visible elevations must be presented ~~for all of the following categories.~~
2. Accurate detailed drawings or photographs showing existing conditions of the building and relationship of new construction to existing buildings,
3. Accurate detailed scale drawings of site plan,

4. Samples, specifications and/or photos of all visible materials; i.e., doors, windows, grills, brick, stone, trim, handrails, fencing, etc.,
5. Specifications/cut sheets and locations for all mechanical equipment, trash bins and other infrastructure when such infrastructure is located outside the building,
6. **Thorough Narrative** explaining the scope of the work proposed,
7. Additional accurate, scaled drawings or sections for trim and finish work,
8. Roof drainage plan or narrative;

C. Sign information including the following (*see Chapter 17 for sign requirements*):

1. Accurate, scaled rendering of proposed sign or photograph, if already existing,
2. Specification and/or sample of material,
3. Photograph or accurate, scaled drawing of building elevation(s) showing location(s) of wall signage, window signs, entrance signs and all other attached signage,
4. Photograph or accurate scaled drawing showing location of freestanding signs on the site,
5. Type and location of all lighting fixtures for sign illumination;

D. Outdoor fixtures information including the following:

1. Accurate, scaled drawings and location of fences, screening, benches, seating, tables, architectural ornamentation, flag poles or other outdoor fixtures,
2. Manufacturer's cut sheets for all outdoor fixtures and/or poles,
3. Accurate, scaled site plan showing planter boxes, tree grates or other landscaping or ornamental vegetation;

E. Exterior lighting information including the following:

1. Accurate, scaled site plan showing number and location of proposed site lighting,
2. Manufacturer's cut sheets and/or photos for all exterior lighting fixtures and/or poles,
3. Type of bulb and intensity for each fixture,
4. Accurate, scaled drawings or photographs of building elevations with wall-mounted lights;

F. Awnings/canopies information including the following:

1. Photo or brochure showing proposed design,
2. Color sample or swatch of proposed material,
3. Photograph or accurate, scaled drawing of building showing location of awning and its relationship to existing structures.

G. Door and window information, including the following:

1. Photo or brochure showing proposed design,
2. Color sample or swatch of proposed material,
3. Photograph or accurate, scaled drawing of building with door and window placement if there are any changes to the current configuration.

(Ord. 1075 § 1 (part), 2005)

15.04.050 - Standards for review.

The historic preservation commission, the planning and zoning commission, and the city council shall consider each design review on the merits of the individual case and shall consider, among other things, general designs, character and appropriateness of design, scale of buildings, arrangements, texture, materials and color as well as the scale design and appearance in relation to structures in the immediate and surrounding area. The preferred options for the treatment of historic properties are, in order of preference: 1) to retain, preserve, and repair; 2) to reconstruct in accordance with available documentation; 3) to alter or add to meet changing uses, while retaining and reflecting the property's historic character.

The following elements will also be considered ~~by the commission~~:

A. Materials. Traditional materials such as brick, stone (including cast stone), stucco, and in some cases wood, should be used as the primary exterior materials. Existing historic materials like brick or stone should be preserved and restored, rather than covered over with stucco, wood, metal, or paint. Tile, stucco, stone, glass block, copper flashing, metal and wood should be considered for accent materials. For rear entrances, the primary materials should be used in such a way so as to highlight the entrance.

The following materials are prohibited on the facades or sides of buildings that are visible, **with exceptions for particular architectural styles:**

1. Aluminum, vinyl or fiberglass siding or roofing materials;
2. Wood shake shingles, barn wood, corrugated metal, mirror or reflective glass, plywood and chipboard siding;
3. Regular concrete masonry units (Split face, fluted and other decorative concrete block will be considered.);
4. Materials that attempt to mimic traditional materials (e.g., fiberglass panels molded to look like brick;) without **consideration by the historic preservation commission and specific approval by the planning and zoning commission and council in the site plan approval process.**

B. Detailing. A high to moderate level of design and architectural detail is preferred. Design should harmonize with the detailing of the surrounding buildings in window shape, cornice lines and brickwork. Building renovations and alterations should restore the architectural details of cornices, brickwork, transom, display windows and bulkheads.

C. Roofs and Parapets. Flat roofs (slightly sloped to drain) are preferred with parapets that articulate the rhythm of the buildings. Parapets should be embellished with detailing and be stepped or sloped to achieve a visually interesting yet harmonious sequence along the building facade.

Sloped roofs are not allowed unless concealed by the parapet or false front. Exceptions may be granted if the sloped roof is used to define the residential character of the upper floors and is demonstrated to complement adjacent buildings. The city engineer must review roof drainage plans for compatibility with street and sidewalk drainage. Use of underground drainage systems may be required where available.

D. Facades. A building more than forty-five feet in width or length should be divided into increments of no more than twenty feet through articulation of the facade. This can be achieved through combinations of the following techniques:

1. Divisions or breaks in materials;
2. Window bays;
3. Separate entrances and entry treatments;
4. Variation in roof lines;
5. Building setbacks.

Street level facades on both the front and rear should complement the character of the whole building. Street level front facade shall have a minimum of fifty percent glazing. **Special care should be taken to retain historic windows or to design windows that retain the historic window openings and that are compatible with the building's whole façade and with the historic downtown generally.** Entrance doors shall be commercial, fully glazed doors, **whether the glazing is surrounded by metal or wood, and should harmonize with the building's overall character.**

Street-level main entrance doors shall be set back a minimum of thirty-six inches from the building face. Entry doors for upstairs apartments are not required to be set back **nor to be commercial. Residential style doors are acceptable for upstairs apartments as long as they are suitable for exterior applications and contain at least 30% glazing.**

Street side balconies shall reflect the design and characteristics of the building. Balconies shall be supported with cantilevered structure or by the building structure. Supporting posts at the sidewalk are prohibited. Balconies must not extend farther than current code allows. Underside of balconies shall be enclosed with an acceptable material. Balconies shall meet all life safety requirements. Drainage and the formation of ice should be considered.

E. Awnings/Canopies/Signs. Retractable or operable awnings are encouraged. Long expanses of awning should be broken into segments that reflect the door or window openings beneath them. Awnings cannot extend across multiple storefronts and/or multiple buildings. Awnings must be constructed of durable, protective and water-repellant material. Awnings should

not project farther than current code allows. Neighboring buildings and signage should be considered when constructing awnings.

Window Signs. Permanent window signs should cover a minimal area. Large window signs are discouraged.

F. Utility Areas and Mechanical Equipment. **Screening** of exterior trash and storage areas, service yards, loading areas, transformers and air conditioning units **must should** use the same materials, color and/or style as the primary building in order to be architecturally compatible with the building it is adjacent to. If the utility area is separate from the building it serves, it should be consistent with the streetscape theme. All roof equipment must be screened from public view if visible from the street.

All exterior trash and storage areas, service yards, loading areas and air conditioning units should be screened from view or made as inconspicuous as possible. Loading areas, if screening is not possible, shall be incorporated into the aesthetic design of the building and disguised as much as possible. Camouflaging air conditioning units is an acceptable screening method.

G. Color. The color of buildings should work in harmony with other C-3 structures and should maintain the unique **historic** quality of the downtown. The accent colors should complement the primary color. **Permanent materials like brick, stone, and metal should not be painted and should remain, or be preserved, as close to original or existing finish as possible.**

H. Rear Entrances. The rear entrance should be clean and well maintained **and should complement the character of the whole rear elevation.** A small sign, awnings, display windows and planter boxes can improve the appearance.

Rear entrances should mimic the design criteria for the front as much as is practical and reasonable and use the same primary materials where possible. The features described under "Guidelines" are to be encouraged; ~~however, recognizing that this objective is to primarily encourage improvements to rear entrances and recognizing the differences with rear entrances, no specific standard is adopted.~~

I. Exterior Lighting. Exterior lighting should enhance the development just as design elements such as trim and material selection.

Bare bulbs are not acceptable (holiday and special event lighting excluded). Fixtures without adequate shades for bulbs are discouraged.

J. Site Appurtenances (Benches, Tables, Fences, Flagpoles, Landscaping, etc.) **should complement the individual building and the historic, pedestrian-friendly downtown generally.** Pedestrian safety, accessibility and intrusion into pedestrian or vehicle thoroughfares will be considered.

Satellite dishes shall not be visible from main streets. Communication/television cables and antennae wires shall be hidden from view.

(Ord. 1075 § 1 (part), 2005)

15.04.060 - Inspection.

After a permit has been issued to the applicant, the zoning administrator, city engineer, or other local authority may from time to time inspect the work authorized and take such action as is necessary to enforce compliance with the approved plans.

(Ord. 1075 § 1 (part), 2005)

15.04.070 - Violations.

It is unlawful for any person to omit, neglect or refuse to comply with any provision of this chapter, and such violation shall constitute a misdemeanor. The city shall have authority to obtain compliance by the use of injunctive relief, municipal infraction enforcement and all other civil remedies available for enforcement.

(Ord. 1075 § 1 (part), 2005)

15.04.080 - Variances.

Where, in the case of a particular proposed application for a design criteria permit, it can be shown that strict compliance with the requirements of this chapter would result in extraordinary hardship to the property owner, because of unusual or other conditions, the planning and zoning commission the city council may vary, modify or waive the requirements so that substantial justice may be done and the public interests be served; provided, however, that such variance, modification or waiver will not have the effect of nullifying the intent or purpose of this chapter. Each variance shall be determined by the particular facts and circumstances in each instance. In no case shall any variance or modification be more than a minimum easing of the requirements and in no instance shall it be in conflict with any zoning ordinance or other city ordinance. The granting of a variance shall not be considered the grounds or basis for granting of a subsequent variance as each case is to be decided upon its own peculiar facts and circumstances. (Ord. 1087 § 1, 2006)

Repealer. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Severability Clause. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

When Effective. This Ordinance shall be in effect upon its passage, approval and publication as provided by law.

Date of First Reading:

June 15, 2020
Public hearing to amend Chapter 15.04 Design Criteria
No public comment. The hearing was closed.

Ordinance 1251 approving the proposed amendments to Chapter 15.04 Design Criteria was introduced and read for the first time. Motion by Luse, second by Schissel to approve the first reading. Roll call vote. All voting aye. Motion carried.

Date of Second Reading:

July 6, 2020
Ordinance 1251 approving the proposed amendments to Chapter 15.04 Design Criteria read for the second time. Motion by _____, second by _____, to approve the second reading. Roll call vote. All voting aye. Motion carried.

Date of Third and final reading and adoption:

July 20, 2020
Ordinance 1251 approving the proposed amendments to Chapter 15.04 Design Criteria and read for the third and final time. Motion by _____, second by _____, to approve the third and final reading thereby placing the ordinance on its' final adoption. Roll call vote. All voting aye. Motion carried.

PASSED AND ADOPTED this _____ day of _____, 2020.

Lorraine Borowski, Mayor

ATTEST:

Wanda Hemesath, City Clerk-Treasurer

I hereby certify that the above Ordinance No. _____ was published on the _____ day of _____, 2020, in the _____.