

COMMISSION ACTION FORM

SUBJECT: CHAPTER 31 TEXT AMENDMENT CLARIFICATION

BACKGROUND:

On November 13, 2023, the Historic Preservation Commission (HPC) discussed at length the proposed amendments to Chapter 31. The Commission voted 5-0 to recommend City Council approval of modifications to the proposed text amendments in Chapter 31, clarifying the application of design criteria and guidelines to accessory structures and ADUs. **The HPCs recommended modifications have been incorporated into the ordinance prepared by the city attorney's office for action by the City Council on December 12, 2023, with the exception of the following insertion:**

(new) Alteration of non-contributing garage to an ADU, when it is located on a property with a contributing structure would require HPC approval of Certificate of Appropriateness (COA).

The Commission requested that staff return with the final wording and placement of this section, prior to the City Council meeting of December 12. Although staff understands that it was the intent of HPC to add clarifying language, this language broadens the role of the HPC. Currently, Alterations of non-contributing structures do not require HPC approval because Alterations to a non-contributing structure do not require conformance to Chapter 31. This is a narrow issue in that it applies only to Alterations. If there is any New Construction associated with the conversion of a non-contributing structure, it would be subject to HPC review of a COA.

On November 17, 2023, Kelly Diekmann, Planning & Housing Director sent an email to the HPC summarizing their action and how it changed approval requirement. He also indicated that the review of language options will be brought back to the HPC for discussion at their upcoming meeting on December 11, 2023.

ALTERNATIVES:

1. Determine that the request to add the above referenced language is not necessary for the implementation of ADUs within the Old Town Historic District.
2. Recommend revised language that furthers the intent of the HPC and furthers implementation of ADUs within the Old Town Historic District.

RECOMMENDED ACTION:

This agenda item allows the HPC to make a final recommendation on the proposed text requiring HPC approval of a Certificate of Appropriateness (COA) for alterations to a non-contributing garage.

Staff does not recommend that a new requirement be added to the Old Town Historic District for Alterations to non-contributing structures, if that was in fact the intent of the HPC. For that reason, the Department of Planning and Housing supports Alternative #1.

CHAPTER 31, HISTORIC PRESERVATION

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SECTION 31.10. CERTIFICATE OF APPROPRIATENESS.

(1) Any act of alteration, demolition, new construction, or relocation, as defined herein, shall require a Certificate of Appropriateness as further described below.

~~Furthermore, e~~Every application for a building permit or a demolition permit affecting the exterior architectural appearance of a designated landmark or of any contributing structure within a designated historic district shall be accompanied by a complete City of Ames an application for a Certificate of Appropriateness. ~~Applicants shall be required to submit plans, drawings, elevations, specifications, and other information as may be necessary to make decisions.~~ The Building Official shall not issue the building or demolition permit until a Certificate of Appropriateness has been approved.

(2) Alteration: ~~of an exterior part of a building or a structure.~~ An alteration is any act or process that changes one or more of the exterior features of a structure, such as windows, porches, siding, and other features identified under the Design Guidelines that do not increase without increasing the amount of gross floor area. ~~Alterations to existing structures that are contributing structures or to structures designated as historic landmarks shall require a~~ A Certificate of Appropriateness for an alteration and shall be permitted in the following instances.

(a) An architectural feature has deteriorated to the point that it must be replaced.

(b) Architectural features were added which modified the original qualities of the architectural style and the current property owner wishes to restore the structure to the original architectural style.

(c) An architectural feature may can be added if as long as the feature is appropriate to the architectural style of the structure.

(3) New Construction. A Certificate of Appropriateness shall be required for construction of:

(a) Aa new principal structure, or

(b) Anan addition to an existing contributing structure or to a designated landmark, or

(c) Aa new accessory building or addition to an accessory building on any property with a contributing principal structure or designated landmark.

(4) Consideration of an application for a Certificate of Appropriateness shall apply the Design Guidelines, which shall pertain to all historic preservation districts and historic landmarks; and the Design Criteria, which shall apply only to the particular historic district or historic landmark for which they are enacted.

A new principal structure shall be representative of one of the architectural styles approved in the district. The design for the new principal structure must meet all the design criteria listed for the architectural style selected. Architectural features not specifically listed in the design criteria may be proposed by the applicant. Those features should be incorporated in a manner appropriate with the architectural style.

In each instance, the Commission may grant exemptions to the requirements for an alteration if it determines that the cost of replication is prohibitive.

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SECTION 31.11. APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS.

(1) Administrative Approval Process.

(a) A Certificate of Appropriateness for alterations to the principal structure, garages, and other accessory buildings, and the new construction of fences and retaining walls ~~may~~ can be approved by the Planning and Housing Director, provided the alterations or new construction meet the adopted Design Guidelines and Design Criteria, and substitute materials are not proposed, other than those specifically listed in the Design Guidelines. The Planning and Housing Director may refer an application for an alteration to the Historic Preservation Commission for approval. Changing a contributing garage to an Accessory Dwelling Unit (ADU) requires approval by the Historic Preservation Commission.

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Sec. 31.13. DESIGN GUIDELINES FOR ALTERATIONS.

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(8) Garages and Accessory Buildings

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(k) Changing an existing contributing garage to an ADU is allowed as long as the character defining features of the garage are not significantly altered.

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SECTION 31.15. DESIGN GUIDELINES FOR NEW CONSTRUCTION.

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(10) Garages and Accessory Buildings (including Accessory Dwelling Units [ADUs]).

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(k) Garages and accessory buildings do not typically require a porch; however, a standalone ADU adjacent to street frontage, may require a porch as determined by the HPC.

(l) Garages and accessory buildings are exempt from the two-story requirement.

(m) Garages and accessory buildings are not required to have a raised foundation and may be constructed slab-on-grade.

(n) Garages and accessory buildings are not typically required to conform to footprint design criteria; however, a standalone ADU adjacent to street frontage, may be subject to the footprint design criteria as determined by the HPC.