

SECTION 4.4 - DESIGN REVIEW LOCAL HISTORIC, CULTURAL, ARCHITECTURAL, & ARCHEOLOGICAL RESOURCES

- A. **Intent.** The intent of these Design Review standards is are to protect, preserve, develop and use Winooski's historic, cultural, architectural, and ~~natural~~ archeological resources consistent with 24 V.S.A. § 4414(F) in order to stimulate a more meaningful environment for its citizens and the region; ~~to~~ maintain the historical, cultural, architectural, and historical-archeological integrity of existing buildings or features; and to ensure the compatibility of new construction or usage to adjacent properties.
- B. **Applicability.** This section is applicable to all properties included in the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources regardless of use except that in all Zoning Districts in the City with the exception of the Downtown Core, and any residential use of three or fewer units: properties located in the Gateway Zoning District shall only be subject to review for proposed demolition of buildings or structures. This section is applicable to any alterations or improvements to structures within the Gateway Districts that fall under the thresholds for conformance with the Form Based Code as defined in Section 209: Non-Conformities of Appendix B. Properties located in the Downtown Core Zoning District are exempt from these regulations and are reviewed under the standards outlined in Article III of these regulations.
- C. **Covered Actions.** In support of the intent of this section as outlined in Section 4.4.A. The ~~the~~ following types of development actions are subject to ~~these~~ the standards outlined herein:
1. Demolition of a building or structure; in whole or in part except as exempted under Section 4.1.A;
 2. Movement of a building or structure;
 3. Any new construction of a principal building or structure subject to view from a public street, unless the new construction is specifically exempt from zoning permitting under Section 6.13;
 4. Exterior remodeling or renovation of an existing building or structure that will change or alter the building or structure related to:
 - a. The overall height; or
 - b. The exterior dimensions
 5. Modifications, including enlargements or reductions to existing windows, doors, or other openings located on the front or side of the building or structure unless specifically required to meet applicable building codes related to life/safety standards, state energy codes, or ADA accessibility requirements; or
 6. Modifications or changes including removal of specific elements, materials, or details that are specifically identified in a resources survey or similar document as contributing to the historic integrity; architectural quality; or cultural or historical significance of the building or structure for properties identified as a local historic, cultural, architectural, or archeological resource.
 7. Nothing in this section shall prohibit the removal of unsafe or hazardous materials from existing buildings including lead, asbestos, or similar materials. Consideration will be given to ensure removal of these materials does not alter the contributing context of a building or structure unless no alternative option is available.
 5. ~~Change in existing walls and fences, or construction of new walls and fences along the public right-of-way;~~
 6. ~~Change in exterior color or material;~~
 7. ~~Exterior lighting;~~
 8. ~~Exterior signage.~~

D. **Identification of Resources.** The City shall maintain a list of historic, cultural, architectural, and archeological significant resources. This list will include a map of specific properties to be covered by the provisions of Section 4.4 and is included in Article X of these regulations. This list and map will be referred to as the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources.

E. **Local Resources Advisory Commission.** The Local Resources Advisory Commission (LRAC) shall review any applications for properties included in the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources that propose a covered action as outlined in Section 4.4.C.

1. Review by the LRAC shall be limited to the applicable standards of review as outlined under Section 4.4.F as they relate to the covered action(s) listed in Section 4.4.C.

2. The LRAC shall advise the ZA or DRB regarding the issuance of a Certificate of Appropriateness related to the covered action(s) listed in Section 4.4.C.

EF. **Standards for Review.** Development subject to design review will be subject to the following standards: Any activity identified under Section 4.4.C will be subject to the following standards for review as applicable.

1. **Height.** The height of a proposed building and its visual compatibility with adjacent buildings;

2. **Setback.** The building setback of new or remodeled construction in relationship to that of existing structures;

3. **Rhythm.** The relationship of solids to voids in the front facades of a building;

4. **Proportion of Building's Front Façade.** The relationship of the width of building to the height of the front elevation;

5. **Relationship of Materials, Texture, and Color.** The compatibility of these facets of a building with the predominant materials used in the buildings to which it is visually related;

6. **Scale of a Building.** The size of a building and the mass of a building in relation to open spaces, windows, door openings, porches and balconies;

7. **Proportion of Openings within the Building.** The relationship of the width of the windows to the height of the windows;

8. **Roof Shapes.** The compatibility of the roof shape of a building with the buildings to which it is visually related;

9. ~~**Grading and Planting.** Grade changes and landscape plantings incorporated so as to enhance the existing scale and character of the site, and their relationship to adjacent areas;~~

10. ~~**Open Space.** Open space designed as to add to the visual amenities of the area.~~

G. **Review Procedures.** Within 30 days of a complete application for a covered action as identified in Section 4.4.C that is located on a property that is identified in the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources as described in Section 4.4.D being received by the City, the ZA shall forward the complete application to the LRAC for their next available meeting.

1. The LRAC shall annually publish a schedule of meeting dates and times and make this information available to the public.

2. The ZA shall warn all meetings of the LRAC in accordance with Vermont's Open Meeting Laws.

3. Within 30 days of the adjournment of the Local Resources Advisory Commission meeting, the LRAC shall issue a recommendation to the ZA or DRB regarding the request for a Certificate of Appropriateness.

H. **Certificate of Appropriateness.** Any project that proposes a covered action as included under Section 4.4.C for a property included in the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources as described in Section 4.4.D shall receive a Certificate of Appropriateness from the ZA or DRB prior to the issuance of a zoning permit for a covered action.

1. To be considered for a Certificate of Appropriateness, the applicant shall submit a combined zoning/building permit application to the Zoning Administrator for review.

2. In addition to the information identified in Section 6.10.B, the applicant shall provide the following documentation:

a. Narrative information describing how the proposal meets or is compatible with the standards for review in Section 4.4.F.

b. Site plans identifying existing and proposed conditions for the overall site.

c. Detailed architectural plans, elevations, or renderings for the covered action as identified in Section 4.4.C if applicable.

d. Environmental assessments to determine the existence or absence of asbestos or other environmental hazards.

3. Documents listed in Section 4.4.H.2 shall be prepared by licensed professionals, including their stamp or seal; and submitted with the application for a zoning permit.

4. Complete applications will be referred to the LRAC for consideration and a recommendation on the issuance of a Certificate of Appropriateness.

5. If the proposed action or use can be approved administratively as outlined in Section 2.4, the Zoning Administrator will render a decision on the application following a recommendation from the LRAC on the issuance of a Certificate of Appropriateness.

6. If the proposed action or use requires approval from the DRB as outlined in Section 2.4, the Zoning Administrator will forward the application, along with the recommendation from the LRAC to the DRB to be considered at their next available meeting.

7. No zoning permit will be issued for a covered action that has not received a Certificate of Appropriateness.

8. The decision of the Zoning Administrator or DRB to issue a Certificate of Appropriateness may be appealed as outlined in Section 6.9 of these regulations.

I. **Listing of Properties.** The LRAC, when requested, will evaluate properties within the City to determine if the property includes a resource or resources that are historic, cultural, architectural, or archeological significant. If a property is identified that has the potential to be historically, culturally, architecturally, or archeologically significant to the City, the following steps will be taken:

1. The property owner will be consulted to determine if they consent to having the property evaluated for listing.

a. If the request is initiated by the property owner this consent will not be required.

b. If consent is not received from the property owner, the property will not be evaluated.

2. If the property owner agrees to the evaluation, the LRAC, in consultation with the State of Vermont, will identify and contract with a qualified historic preservation consultant to perform

a survey of the property, including completion of any forms or documents needed to make a determination of significance. These surveys will include any structures or features that could be historic, cultural, architectural, or archeological significant to the City of Winooski.

3. The surveys and any other documents will be reviewed by the LRAC for a determination on inclusion in the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources; and potential for listing in the state or national register of historic places, as appropriate.
4. If the LRAC makes a positive determination on eligibility, the recommendation will be forwarded to the Planning Commission for formal recommendation to the City Council to amend the Unified Land Use and Development Regulations to include the property in the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources consistent with 24 V.S.A. §§ 4441, 4442, and 4444.
5. If the LRAC determines the property is not significant or does not have sufficient information to make a recommendation on the property's significance, the LRAC will provide feedback, including necessary information to make a determination.
6. The LRAC shall include a timeline for when the additional information is needed to make a recommendation on the property's significance.
7. If the LRAC determines a property lacks significance to be included in the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources, this recommendation will be forwarded to the Planning Commission for the final decision on whether or not to draft amendments to the Unified Land Use and Development Regulations related to the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources.

J. **Delisting of Properties.** The owner of a property that is included in the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources may request the property be removed from this designation.

1. The property owner shall submit information to the LRAC that provides justification for delisting of a property, including how the historic, cultural, architectural, or archeological significance has been compromised. This information shall be supported by specific documents such as photos, inventories, reports, or similar information. This documentation shall also include an opinion from a qualified historic preservation consultant regarding the current historic, cultural, architectural, or archeological significance of the property.
2. These documents will be reviewed by the LRAC for a determination on delisting of the property from the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources; and potential for delisting in the state or national register of historic places, as appropriate.
3. If the LRAC makes a determination that the property is no longer significant or contributing, the recommendation will be forwarded to the Planning Commission for formal recommendation to the City Council to amend the Unified Land Use and Development Regulations to remove the property from the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources consistent with 24 V.S.A. §§ 4441, 4442, and 4444.
4. If the LRAC determines it does not have sufficient information to make a recommendation on the property's significance, the LRAC will provide feedback, including necessary information to make a determination.
5. The LRAC shall include a timeline for when the additional information is needed to make a recommendation on the property's significance.
6. If the LRAC determines a property is still significant or contributes to the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources, this

recommendation will be forwarded to the Planning Commission for the final decision on the on whether or not to draft amendments to the Unified Land Use and Development Regulations related to the City of Winooski's Local Register of Historic, Cultural, Architectural, and Archeological Resources.

D. ~~**Historic & Cultural Resources.** Adaptive reuse is intended to allow for the continued, economically viable use of historic structures that have outlived their original purpose but contribute to the historic, architectural and/or cultural fabric of the community. Accordingly, an alternative use may be allowed within the current dimensions of a historic structure, subject to the above general design review standards, conditional use review under **Section 6.7**, and any recommendations from **Section 4.4.D** above. In addition:~~

- ~~1. Methods shall be used to avoid undue adverse impacts on the National or State Registers of Historic Places and those listed in the Municipal Development Plan as Local Historic and Architecturally Significant Buildings. The demolition of structures listed on the National or State Registers of Historic Places shall be prohibited unless a letter from a qualified Historic Preservation consultant documents that the historical significance has been compromised and is no longer relevant.~~
- ~~2. Methods shall be used to minimize undue adverse impacts to the historic and cultural resources listed on the Vermont Historic Sites and Structures Survey for the City of Winooski and still considered eligible for listing on the National or State Register of Historic Places according to the Vermont Division of Historic Preservation.~~

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