

## CHAPTER 8 DEVELOPMENT REVIEW PROCEDURES

### Part 8: Historic Preservation

#### Article I – Historic and Archaeological Preservation

##### **Sec. 13-8-55 Certificate of Appropriateness Application.**

- (a) **Regulation of Construction, Reconstruction, Alteration and Demolition.**
- (1) No other person in charge of an architecturally significant designated structure within an Historic Preservation District shall reconstruct, alter or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties or cause or permit any such work to be performed upon such property or demolish such property unless a Certificate of Appropriateness has been granted by the Historic Preservation Commission. Also, unless such certificate has been granted by the Commission, the Building Inspector shall not issue a permit for any such work.
  - (2) Owners of non-designated properties having contiguity to a parcel having an architecturally significant designated structure within an historic preservation district shall be subject to the same permanent requirements as architecturally significant designated structures.
  - (3) Upon filing of any application for a Certificate of Appropriateness with the Commission, the Commission shall approve the application unless:
    - a. In the case of a designated historic structure or historic site, the proposed work would detrimentally change, destroy or adversely affect any exterior feature of the improvement or site upon which said work is to be done;
    - b. In the case of the construction of a new improvement upon a historic site, or within a historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site or within the district;
    - c. In the case of any property located in a historic district, the proposed construction, reconstruction, exterior alteration or demolition does not conform to the purpose and intent of this Chapter and to the objectives and design criteria of the Historic Preservation Plan for said district;
    - d. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the City of Onalaska;
    - e. In the case of a request for the demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair;
    - f. The building or structure is of such old, unusual or uncommon design, texture, and/or materials that it could not be reproduced

## Development Review Procedures Historic Preservation 13-8-55

- without great difficulty and/or expense;
  - g. In the case of a request for the demolition of a deteriorated building or structure, any hardship or difficulty claimed by the owner is self-created or the result of any failure to maintain the property in good repair;
  - h. The owner of the property submits information that the denial of the Certificate of Appropriateness will deprive the owner of all reasonable use of, or economic return on, the property.
- (4) In addition, in determining whether to issue a Certificate of Appropriateness, the Commission shall consider and may give decisive weight to any or all of the following standards:
- a. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
  - b. Most properties change over time; those changes that have acquired historical significance in their own right shall be retained and preserved.
  - c. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
  - d. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  - e. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
  - f. New additions, exterior alterations or related new construction shall not destroy historic materials that characterize the property. The new work shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
  - g. The benefit of the preservation of a historic site, structure or site within the Historic Preservation District to reach the goals of a City master plan such as a Downtown Redevelopment Plan as adopted by the Common Council.
- (5) If the Commission determines that the application for a Certificate of Appropriateness and the proposed changes are consistent with the character and features of the property or district, it shall issue the Certificate of Appropriateness. The Commission shall make this decision within forty-five (45) days of the filing of the application.
- (6) The issuance of a Certificate of Appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the City. A building permit or other municipal permit shall be invalid if it is obtained without the presentation of the Certificate of Appropriateness required for the proposed work.
- (7) Ordinary maintenance and repairs may be undertaken without a Certificate of Appropriateness provided that the work involves repairs to existing features of a historic structure or site or the replacement of elements of a structure with pieces identical in appearance and

## Development Review Procedures Historic Preservation 13-8-55

provided that the work does not change the exterior appearance of the structure or site and does not require the issuance of a building permit.

- (8) Every person in charge of an improvement on a historic site or designated structure in a historic district shall keep in good repair all of the exterior portion of such improvement and all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such improvements to fall into a state of disrepair.
- (b) **Appeals.** Should the Commission fail to issue a Certificate of Appropriateness due to the failure of the proposal to conform to the guidelines, the applicant may appeal such decision to the Common Council within thirty (30) days. In addition, if the Commission fails to issue a Certificate of Appropriateness, the Commission shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a Certificate of Appropriateness within the guidelines of this Chapter.
- (c) **Recognition of Historic Structures, Sites and Districts.** At such time as a historic structure, site or district has been properly designated, the Commission, in cooperation with the property owner, may cause to be prepared and erected on such property at City expense, a suitable plaque declaring that such property is a historic structure, site or district.