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ORDINANCE #307

DOWNTOWN HISTORIC PRESERVATION ORDINANCE

WHEREAS, the City of Victor desires to preserve and enhance the historic aesthetic and architectural qualities of the downtown area of the City; and,

WHEREAS, the historic downtown area is a valuable community economic resource; and,

WHEREAS, the preservation and enhancement of this resource will foster economic activity and protect property values in the downtown area;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Victor, State of Colorado, hereby establishes the Downtown Historic Preservation District in the City of Victor, establishes the boundaries of said district, authorizes the City Council of the City of Victor to review plans for the erection, movement, demolition, reconstruction, restoration, renovation, or alteration of any structure within the Historic Preservation District and to issue a Certificate of Appropriateness for the proposed work, to deny the issuance of a Certificate based upon criteria described herein, and prescribing penalties for the violation of the provisions of this Ordinance and the provisions of the Certificate of Appropriateness.

SECTION I

PURPOSE The purpose of this Ordinance is to protect the health, safety, and general welfare of the citizens of Victor through:

1. the protection of the City's aesthetic and cultural heritage as reflected in its architecture;
2. fostering civic pride in the distinctive history of the City;
3. promoting the use of historic buildings and areas for the education, pleasure, and welfare of the citizens of Victor; and
4. the protection and enhancement of the historic character of the downtown area in order to promote the economic viability of the City through beneficial economic development activities.

SECTION II

BOUNDARIES OF THE HISTORIC DISTRICT A Downtown Historic Preservation District is hereby created and is bounded by the center of Granite Avenue south to the center of Portland, and from the center of Second Street west to the center of Fifth Street.

SECTION III

DESIGNATING THE CITY COUNCIL OF THE CITY OF VICTOR TO REVIEW PROPOSED PLANS AND TO ISSUE CERTIFICATES OF APPROPRIATENESS

The City Council of the City of Victor is hereby designated as the authority to review proposed erection, movement, demolition, reconstruction, restoration, renovation or alteration of all existing commercial structures in the Downtown Historic Preservation District and to issue a Certificate of Appropriateness; to require certain modifications to said plans before issuing a Certificate of Appropriateness; or to deny said application for a Certificate based upon the criteria established in SECTION IV.

SECTION IV

CRITERIA The City council shall consider the following criteria in considering an application for a Certificate of Appropriateness:

1. the effect of the proposed change upon the general historical and/or architectural character of the structure or area;
2. the architectural style, arrangement, texture, and construction materials of the existing and proposed structures, and their relation to other structures in the area;
3. the effects of the proposed work in creating, changing, destroying or otherwise affecting the exterior architectural features of the structure upon which such work is to be accomplished;
4. the effects of the proposed work upon the protection, enhancement, and perpetuation of the structure or area;
5. the condition of existing improvements and whether or not they are a hazard to public health or safety; and
6. the effects of the proposed work upon the desirability, property values or development of the surrounding area.

Existing frame houses built for residential use shall be exempt from the requirements of this ordinance.

SECTION V

APPLICATION REQUIREMENTS The erection, movement, demolition, reconstruction, restoration, renovation or alteration of any structure within the Downtown Historic Preservation District shall require a Certificate of Appropriateness issued by the City council of the City of Victor.

Application for a Certificate of Appropriateness shall be filed with the City Clerk of the City of Victor a minimum of three working days before the next regularly scheduled City Council meeting at which the application is to be considered. A separate application and Certificate is required for

1) Alterations (renovations, etc.), 2) New Construction, and 3) Demolition

Application shall include:

1. a written explanation of work to be accomplished, including architectural style, arrangement, texture and construction material of the existing and proposed improvements and their relation to other structures in the area;

2. the condition of the existing structure and whether or not it is a hazard to public health or safety;

3. a plot plan or site plan, if applicable;

4. a recent, dated photograph of the existing structure;

5. a sketch of the proposed appearance of structure.

For new construction, the following are required:

1. a written explanation of work to be accomplished, including architectural style, arrangement, texture and construction material of the proposed structure and its relation to other structures in the area;

2. a site plan;

3. building plans and specifications;

4. a sketch of the proposed structure.

For demolition, the following are required:

1. A written description of the existing structure, including structural condition and whether or not the structure or site is a hazard to public health or safety: original date of construction (estimated if not documented) and architectural style, and the relation of the structure to the other structures in the area.

2. a written description of the proposed improvements and/or use of the site; and

3. a recent, dated photograph of the existing structure.

SECTION VII

FEES A fee of \$25.00 for new construction, \$15.00 for demolition, and \$10.00 for ¹⁰⁰alterations/renovations ²⁵ shall be required to be paid by the applicant upon submittal of the application for a Certificate of Appropriateness to the City Clerk. Such fees may be adjusted by the City Council from time to time as deemed necessary. Applicants proposing demolition shall be required to post a bond, the amount of which shall be set by the City Council; prior to the issuance of the Certificate of Appropriateness, in order to ensure complete removal of debris left by said demolition.

SECTION VIII

VIOLATION AND PENALTY Wherever, by the provisions of this Ordinance, the performance of any act is required or the commission of any act is prohibited, a failure to comply therewith shall constitute a violation of the Ordinance, and the following penalties shall apply:

1. Offense: Any person who violates any of the provisions of this Ordinance, shall be fined not to exceed \$300.00 for each offense. Each day that such a violation continues to exist, shall be deemed a separate offense.

2. Actions: The erection, movement, demolition, reconstruction, renovation or alteration of any building or structure contrary to any provision of this Ordinance is unlawful. The City of Victor, Colorado, may institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate or remove such violation. Such action may also be maintained and instituted by any property owner who is damaged by a violation of this Ordinance.

3. Remedies: The remedies herein provided shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

SECTION IX

REPEAL OF CONFLICTING ORDINANCES All Ordinances or parts of Ordinances in conflict herewith are hereby amended or repealed to the extent that the same are inconsistent with this Ordinance.

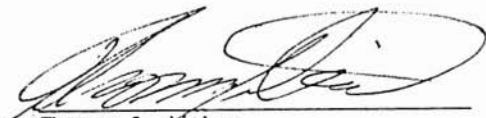
SECTION X

VALIDITY OF ORDINANCE If any article, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be adjudged invalid or be held unconstitutional, the same shall not affect the validity of the Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION XI

ANIMALS It shall be illegal to raise animals for profit or to keep, house, or raise farm animals or other animals with the exception of a normal number of household pets within the boundaries of this Ordinance.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED THIS 14TH DAY OF MAY, 1985.


Thomas J. Aitken
Mayor

ATTEST:


Sandra L. Honeycutt
City Clerk

ORDINANCE 307
DOWNTOWN HISTORIC PRESERVATION
ORDINANCE

Ordinance 307, Downtown Historic Preservation Ordinance, passed at first reading on May 14, 1985, first publication May 23, 1985, second publication May 31, 1985;

ADOPTED BY THE VICTOR CITY COUNCIL THIS 4th DAY OF JUNE, 1985.

Signed: 
Thomas J. Aitken, Mayor

Attest: 
Sandra L. Honeycutt, City Clerk