

ORDINANCE NO.: _____

AN ORDINANCE to create Section 115-320 of the Code of Ordinances of the City of La Crosse to designate the Historic Overlay District known as the Downtown Commercial Local Historic District and to create the design review standards for the district.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 115-320 is hereby created to read as follows:

Sec. 115-320. Design Standards for the Historic Overlay District known as the Downtown Commercial Historic District.

(a) *Purpose.* Pursuant to Section 115-313 of this Code, the purpose of this subsection is to foster the City's Comprehensive Plan to identify the City's historic and architectural resources for designation and protection, to establish a coordinated preservation program and to provide tools to protect significant resources. Its purpose is also to preserve the integrity of the historic architectural features, guide public and private development, protect public and private investment, and establish consistent rules for all. The local district designation of the Downtown Commercial Historic District is created to encourage preservation of the historic resources of the district, which district was named to the National Register of Historic Places in 1994. This subsection will provide design standards and review procedures to guide preservation, rehabilitation, new construction, relocation and demolitions within the Downtown Commercial Historic District (District). Implementing these design standards are in conformance with the Downtown Commercial Heritage Preservation Plan for the district that was adopted by the Common Council in December of 2004. These standards shall apply to all construction located within the Downtown Commercial National Register Historic District. These standards shall apply to newly constructed buildings; all exterior/facade renovations or rehabilitations, including non-structural repairs; additions; building relocations; and demolitions. The property owner shall meet the requirements of this section and obtain Heritage Preservation Commission (HPC) approval as a condition of obtaining a building permit. These regulations shall not apply to building renovations using the Secretary of Interior's Standards for Rehabilitation. The standards contained in this section shall supersede all the City of La Crosse ordinances as they relate to commercial construction and development within the Downtown Commercial National Register Historic District, and if there is a conflict, this ordinance shall control, unless specifically stated.

(b) *Boundaries.* The Downtown Commercial Historic District boundary is as follows (generally described as the area between State Street, 2nd Street, Jay Street and the east side of 5th Avenue):

Beginning at the northeast corner of Main Street and 2nd Street South, continuing easterly along the south curb of Main Street to the southwest corner of Main Street and 3rd Street South, continuing northerly on the east curb of 3rd Street North to the northeast corner of 3rd Street North and State Street, then

continuing easterly along the south curb of State Street to the southwest corner of State Street and 4th Street North, continuing southerly along the west curb of 4th Street North to 115 4th Street North, turning east across 4th Street North, continuing easterly along the rear north lot lines of the 400 block of Main Street. Continue easterly across 5th Avenue South, following the rear (north)lot lines of 507-511 Main Street. Then turning southwest, continue to the southside of Main Street, following the rear (east) lot lines of 512 Main Street and 111-123 5th Avenue South. Continue south across Jay Street, to follow the rear (east) lot lines of 201-211 5th Avenue South, then turn west along the south (side) lot line of 211 5th Avenue South to the east side of 5th Avenue South continuing northerly to the northeast corner of 5th Avenue South and Jay Street. Turn west, following the north curb of Jay Street, continuing along the 400 block of Jay Street. Continue west across 4th Street South to follow the north curb of the 300 block of Jay Street. At the northeast corner of Jay Street and 3rd Street South continue northerly along the east curb of 3rd Street South to the northeast corner of 3rd Street South and Pearl Street, turning west on Pearl Street. Continue westerly along the north curb of the 200 block of Pearl Street to the northeast corner of Pearl Street and 2nd Street South, turning north and continuing northerly along the east curb of the 100 block of 2nd Street South to the northeast corner of 2nd Street South and Main Street which is the point of beginning.

(c) *Height Regulations.* In the Downtown Commercial Historic District, no building shall hereafter be erected or structurally altered to exceed one hundred (100) feet.

(d) *Regulation of construction, renovation, rehabilitation, relocation, and demolition.*

- (1) No owner or person in charge of a structure within the District shall renovate, rehabilitate, modify, alter, move any building or construct any addition or new structure unless a Certificate of Appropriateness has been granted by the HPC. No owner or person in charge of a structure within the District may demolish any part of the exterior of such property unless a Certificate of Appropriateness for Demolition has been granted by the HPC. The Building & Inspections Department shall not issue a permit for any such work unless a Certificate of Appropriateness or Certificate for Appropriateness for Demolition has been granted. If work begins prior to obtaining the necessary permits, a Stop Work Order may be issued by the Building and Inspections Department.
- (2) *Certificate of Appropriateness for Major/Minor Work.*
 - a. Prior to obtaining any building permit, an application for a Certificate of Appropriateness shall be filed with the Planning Department.

- b. The Planning Department shall have available upon request applications for Certificates of Appropriateness and application instructions identifying the information and documentation needed in order to complete the application. Applications shall include full color drawings, photographs, plans or other complete documentation to fully illustrate the property and the proposed work. The HPC shall determine the application requirements.
- c. *Administrative Review of Minor Work.* The Preservation Planner may issue a Certificate of Appropriateness after review of a completed application if the project entails minor work. Minor work includes the following and as further defined by the HPC in its application instructions: re-roofing with similar materials; repair or replacement of porches, windows, siding, trim and doors if new materials match existing; installation or replacement of awnings; chimney reconstruction if completed with similar materials; exterior cleaning, except graffiti, refinishing and tuckpointing; construction of retaining walls, fences and landscaping; screening of parking lots and dumpsters or other work as designated minor by the HPC. Minor work may be performed without prior approval in emergency situations that occur due to vandalism or acts of nature. The property owner will be required to provide the Preservation Planner with documentation of the work performed. Minor work decisions made by the Preservation Planner may be appealed to the Heritage Preservation Commission.
- d. *HPC Review of Major Work.* Upon the filing of a complete application for major work, the HPC shall issue a Certificate of Appropriateness or deny the application within forty-five (45) days of the filing of the application, unless the time period is otherwise extended by written agreement between the HPC and the applicant. Major work includes the following and as further defined by the HPC in its application instructions: construction of garages; roof alterations and skylights; alterations to any side or elevation of the building; additions; alterations to windows, siding, entries, and trim; masonry finishing; construction of chimneys; erection or replacement of signs; new construction; and relocation.
- e. In making its decision about issuing a Certificate of Appropriateness involving new construction, renovation or rehabilitation, the HPC shall consider the design review standards set forth in this subsection. Alterations to building interiors not subject to design review. The HPC shall consider that the structure be of an age, architectural style and massing consistent with existing structures within the District.
- f. The issuance of a Certificate of Appropriateness shall not relieve the applicant from obtaining other permits or

approvals required by applicable federal, state or local code.

- (3) *Certificate of Appropriateness for Demolition.*
- a. An application for a Certificate of Appropriateness for Demolition shall be filed with the Planning Department. The Planning Department shall have available, upon request, applications for Certificates of Appropriateness for Demolition and application instructions, identifying the information and documentation needed in order to complete the application.
 - b. The HPC shall issue a Certificate of Appropriateness for Demolition or deny the application within forty-five (45) days of the filing of a complete application, unless the time period is otherwise extended by written agreement between the HPC and the applicant.
 - c. In determining whether to issue a Certificate of Appropriateness for Demolition, the HPC shall:
 1. Consider factors such as whether the structure is of historical significance, the state of repair of the building, or if the owner can demonstrate that the building is structurally unsound and/or that denial of a demolition permit would create a significant economic hardship for the owner, however, any hardship or difficulty claimed by the owner which is self-created or which is the result of inexcusable neglect to maintain the property in good repair shall not qualify as a basis for the issuance of a Certificate of Appropriateness for Demolition.
 2. Issue the certificate only if the owner can demonstrate that the building is structurally unsound and/or that denial of a demolition permit would create a significant economic hardship for the owner.
- (4) Nothing contained in this subsection shall prohibit the demolition or alteration of any structure within the District pursuant to an order of any governmental agency or Court, for the purpose of remedying emergency conditions determined to be dangerous to health or safety. In such cases, no approval from the HPC shall be required.
- (e) *Design Review Standards for Renovation and Rehabilitation.* These standards specify appropriate maintenance, renovation, and repair of elements on properties within the District and must be reviewed and approved by the Heritage Preservation Planner or the HPC.
- (1) *Masonry Walls and Foundations.* It is the intent of this section to not cover clay brick masonry walls and facades. Cinder or stone block masonry walls and facades may be covered.

a. *Repair*

1. When there is evidence of deterioration, masonry walls and other masonry features shall be repaired by repointing of mortar joints.
2. Brick, stone and mortar shall be replaced with the materials used in original construction or materials that closely resemble the original.
3. Repointing of mortar shall match the original brick and mortar joint profile, including width and depth. Mortar shall duplicate the original in color, texture and strength. If possible, mortar mixtures shall duplicate the original composition in lime, sand, and cement proportion.
4. Repair stucco by duplicating the original material in strength, composition, color and texture. If possible, it is recommended that stucco be removed during renovation if it covers a masonry wall.
5. Artificial stone, brick veneer, vinyl or aluminum products, timbers, plywood, stucco, or other similar materials shall not be applied over masonry surfaces unless it was to repair an existing material. An exception to permit materials that will be applied over masonry surfaces may be requested from the HPC for the purpose of creating a "mural". The HPC will review such materials and how they will be attached, connected, or adhered to the building in order to evaluate any impacts. Installation shall be reversible, that is, it should leave little to no trace on the building after it is removed. A "mural" is defined as any piece of artwork painted or applied directly on a wall, ceiling or other large permanent surface.
6. "Color" in this section, refers to matching the existing or overall color, to the extent practicable.

b. *Cleaning*

1. Clean masonry walls only if necessary to halt deterioration or remove heavy soiling.
2. When cleaning is necessary, the gentlest cleaning method shall be used, as appropriate, such as low pressure water, mild detergents and soft brushes.
3. Surface cleaning tests must be conducted to determine the most appropriate cleaning method. Adequate time must be allowed for the Preservation Planner to observe the results of the test to determine the gentlest cleaning method.
4. Sandblasting or abrasive cleaning is prohibited.

c. *Painting*

1. Masonry shall not be painted (or stuccoed) if it has not been painted previously. An exception may be requested from the HPC for the purpose of creating a "mural". HPC will review such proposals in order

to evaluate any impacts. Any such proposals shall include a plan for removal of the paint that can be accomplished without damage to the masonry. A "mural" is defined as any piece of artwork painted or applied directly on a wall, ceiling or other large permanent surface.

2. Paint shall not be removed from historically painted masonry unless the removal is historically appropriate and the removal can be accomplished without damage to the masonry.
3. Remove damaged or deteriorated paint only to the next layer, using the gentlest method (such as handscraping) prior to repainting.
4. If repainting is required, select colors that are appropriate to the building and district.

(2) *Commercial Building Facades*

a. *Entries and Storefronts*

1. Historic entries and storefront display windows shall be retained.
2. Existing entry openings shall be retained, where feasible. If additional entry openings are needed (i.e., for deliveries) they shall be placed at regular intervals and should be of similar proportions as the original entry.
3. Original or historic features including columns, bulkheads, transoms, moldings and hardware shall be retained; trim should be replicated if replacement is necessary.
4. Wood panel doors with large glass panels were typical of historic commercial storefronts in the district. To the extent possible, historic doors and hardware shall be repaired rather than replaced.
5. If replacement of doors is necessary, replacement doors shall be compatible with the design, proportions and materials of the original door.
6. New doors shall be constructed of wood if possible; aluminum or other metal doors should be finished in colors complementary to the building.

b. *Windows*

1. Existing window openings shall be retained. Window openings shall not be filled in with wood, brick, or any other materials.
2. Retain all decorative trim around windows, including lintels, pediments and hoods. If replacement of trim is necessary, maintain the appearance of the original material.
3. New window openings shall not be added on the primary façade without the approval of the HPC.
4. If replacement windows are required, wood windows are preferred. (If metal is chosen, it should

have a baked enamel or other appropriate factory finish) Metal-clad and/or vinyl-clad windows may be considered for upper level windows or rear façade windows, with the approval of the HPC.

5. Sash shall be replaced with the same size and number of panes as the original sash. New sash, if required, shall match the original style and not the most recent. Replacement of double-hung windows with single panes of glass or crank-out windows is not permitted.
 6. The HPC may require samples or examples of replacement windows to determine whether a request other than the original or period type is an appropriate replacement.
- c. *Roofs, Cornices, and Parapets*
1. The historic roofline, including the cornice, parapet or other elements, shall be retained.
 2. If a cornice or parapet is missing, use historic photographs or examples from similar buildings to craft replacements from materials such as wood, masonry or sheet metal.
 3. Maintain historic masonry copings along the parapet. If copings must be replaced along common party walls, metal coping with an appropriate painted finish may be used.
 4. Modern roofing materials such as rolled rubber are appropriate for flat roofs where not visible from the street.
 5. To the extent feasible, rooftop equipment that projects above the roofline shall be set back and not visible from the street level.
- d. *Non-Historic Features.*
1. Inappropriate past additions to buildings shall be considered for removal. Elements such as siding, signs, wood filler in window openings, stucco, or exterior siding materials are some materials that shall be considered for removal in renovation.

(f) *Design Review Standards for New Construction.* These guidelines apply to new buildings and additions to existing buildings.

(1) *Building Placement*

- a. Most buildings within the district are built to the edge of the sidewalk, maintaining a continuous wall at the building line. New buildings and additions to existing buildings shall maintain the street wall, except where setbacks are used to emphasize entries or create outdoor seating areas.
- b. Buildings shall meet the established building facade line on the block where they are located for at least 75 percent of the length of their front façade.

- c. The remaining 25 percent of the façade may be set back up to 10 feet to emphasize entries or create outdoor seating and gathering areas.
- d. At intersections, buildings shall “hold the corner” – that is, their facades should be located at or near the sidewalk line on both streets.
- e. Side setbacks shall only be used to create walkways or semi-public spaces such as restaurant patios.
- f. Driveways may only be placed in side yards where no alternative (such as alley access) exists.

(2) *Façade Proportions*

- a. Buildings shall have a well defined base, middle and top.
- b. The base, or ground floor, shall appear visually distinct from the upper stories, through the use of a change in building materials, window shape or size, an intermediate cornice line, an awning, arcade or portico, or similar techniques.
- c. The base or ground floor of the building shall include elements that relate to the human scale, including texture, projections, doors and windows, awnings, canopies or ornamentation.
- d. Roofs shall be flat or gently sloped, consistent with traditional storefront commercial design.
- e. Building tops shall be articulated with detailed cornices or parapets.
- f. The composition of the façade shall be similar to that of surrounding facades. This includes:
 - 1. Proportions of openings
 - 2. Relation of width to height. Larger buildings shall be broken into a number of smaller bays, to maintain a rhythm similar to the surrounding buildings.
 - 3. Floor to ceiling ratios
- g. *Side Walls*
 - 1. Party wall construction is typical within the District. Therefore, relatively few buildings have visible side walls. Where side walls are visible, window openings shall be consistent in their proportions with those on the front facade.

(3) *Building Height*

- a. New buildings shall continue the traditional patterns of two or more stories in height.
- b. Maximum height should be based on the pattern established by surrounding buildings on the block face.

(4) *Building Materials.*

- a. Building materials shall be consistent with the predominant materials in use in the District.
- b. Painting of brick buildings is discouraged and shall not be used on new construction. Brick additions may be painted

if the existing building is already painted. The paint color of the addition shall match the paint color of the existing building.

- c. The following materials are appropriate on front or primary façades (those facing the street):
 - 1. Clay Brick
 - 2. Natural stone
 - 3. Cast Stone
 - 4. Concrete and stucco may be appropriate for some buildings, if approved by the HPC.
 - d. Decorative elements on building facades shall be of materials appropriate to the building style and similar to materials used on existing historic buildings, including metal, wood, stone, polished stone, tile, or glass block.
 - e. Additional materials may be appropriate on side or rear facades that are less visible from the street, where permitted by the HPC. Materials that may be considered include:
 - 1. Precast concrete units and concrete block, provided that surfaces are molded, serrated or treated with a textured material in order to give the wall surface a three-dimensional character.
 - 2. "Jumbo brick" units shall only be used on the lower third of the building wall.
 - 3. Split-faced brick or block is not acceptable for downtown buildings.
 - 4. "Novabrick" may be acceptable in some uses.
- (5) *Windows and Doors.* Most windows within the District have a vertical orientation, with proportions of 2 or 3 to 1 (height to width); some windows are even narrower (4 to 1 proportions).
- a. The proportion, size, rhythm and detailing of windows and doors in new construction shall be compatible with that of adjacent buildings. Window and door openings shall comprise at least 30 percent of the area of the ground floor of the primary street façade.
 - b. Windows shall be designed with punched and recessed openings, in order to create a strong rhythm of light and shadow in keeping with traditional architecture.
 - c. Mirrored glass or glass block shall not be used on street-facing facades. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior.
 - d. Internal window divisions shall be consistent with those of surrounding traditional buildings, or with established styles within the District. Replacement windows consisting of one undivided pane of glass are not appropriate unless approved by the HPC.
 - e. Buildings with modern curtain walls of windows are not appropriate in the District unless approved by the HPC.

- (6) *Accessory Buildings.*
- a. Design of accessory buildings should be simple and unobtrusive. Materials similar to those of the principal building are encouraged, but lower cost materials may also be appropriate as determined by the HPC. Materials that may be considered include textured precast concrete units, “Novabrick”.

- (7) *Franchise Architecture*
- a. Franchise architecture (building design that is trademarked or identified with a particular chain or corporation) is generally discouraged unless it employs a traditional storefront commercial style. Franchises or national chains shall follow the “New Construction” guidelines to create context-sensitive buildings.

- (8) *Screening of Rooftop Equipment*
- a. To the extent feasible, rooftop equipment shall be screened from view from adjacent streets and public rights-of-way.
 - b. Rooftop equipment should be screened by the building parapet, or should be located out of view from the ground.
 - c. If rooftop equipment cannot be screened or out of view, the equipment shall be grouped within a single enclosure. This structure shall be set back a distance of 1½ times its height from any primary façade fronting a public street. Screens shall be of durable, permanent materials (not including wood) that are compatible with the primary building materials.

- (9) *Awnings*
- a. When used, awnings shall be installed without damaging the building or visually impairing distinctive architectural features.
 - b. Canvas or fabric awnings shall be used, rather than wood or metal. Vinyl awnings are prohibited unless approved by the HPC.
 - c. Awnings shall be flat rather than curved in profile unless approved by the HPC.
 - d. Internally illuminated awnings are prohibited.
 - e. Exterior mechanical equipment such as ductwork shall not be located on primary building facades.
 - f.

(g) *Site Design and Misc Provisions.* Site design occurs within the boundaries of a parcel, between the building and the street or alley that borders it. On many downtown blocks, buildings only have rear yards – their front facades meet the sidewalk and they share party walls with the building on either side. In other locations, a side yard is used for parking, or the side walls of buildings abut an alley entrance or walkway.

- (1) *Rear Facades and Entrances.* Rear entrances, typically from alleys, are often overlooked and neglected. As alleys are improved into attractive pedestrian and service corridors, rear entrances should also be improved, both to improve customer access from parking areas and increase pedestrian circulation throughout the downtown district.
 - a. Rear facades shall be well maintained and welcoming in appearance.
 - b. Landscaping and small wall signs identifying businesses are encouraged.
 - c. A well-defined and lighted rear entrance is strongly encouraged when there is rear parking.
 - d. If a rear entrance is provided, an awning is also encouraged.
 1. Rear façade materials may be more modest than those used on front facades (see above under “Materials”) but shall be maintained in good repair.
 2. Temporary repairs such as the use of plywood or metal to cover windows or openings must be reviewed by the HPC, who may require use of alternative materials. Temporary repairs are defined as repairs that may be in place for a time period of not more than six (6) months.
 3. If no entrance is provided, a small identification sign with the name of the business is encouraged to help guide customers, clients and visitors to the street entrance.
- (2) *Walkways.*
 - a. Walkways connecting rear parking areas or alleys with streets and sidewalks are strongly encouraged where space permits.
 - b. Both public or private walkways shall be paved with materials consistent with the streetscape materials on the adjacent street.
 - c. Walkways shall be adequately lighted for public safety and visibility with lighting consistent to the historic nature of the Downtown.
- (3) *Parking.* Most off-street parking within the Downtown Historic District occurs within public parking lots or structures or in small parking areas in rear yards, accessed by alleys. A few parking lots are located in side yards abutting the sidewalk, and a few recent one-story buildings have parking between the building and the street.
 - a. If provided, off-street parking shall be located to the side or rear of buildings, and not between buildings and the street.
 - b. Parking areas adjacent to public streets or sidewalks shall be screened with a combination of landscape material and decorative fencing or walls sufficient to screen parked cars on a year-round basis while providing adequate visibility for pedestrians.

- (4) *Trash Enclosures and Service Areas.* Most alleys in the Historic District are too narrow to permit screening of service areas or dumpsters. Where space permits, enclosures are required, using walls or fencing of similar design and materials to the principal building. Consolidation of trash storage to create common screened areas is strongly encouraged.
 - (5) *Landscaping and Lighting.* Landscaping and lighting on private properties shall complement the public streetscape improvements already in place within the Historic District.
 - (6) *Signs.* In historic commercial buildings, signs were typically mounted above storefronts flush with the façade, or projected perpendicularly from the façade. Signs were also placed in windows and appeared on awnings. All of these sign types are appropriate if designed with suitable materials and dimensions. Signs shall be placed where they would have historically been placed, and shall not cover significant architectural features or ornamentation.
 - a. Sign installation shall be reversible – that is, it should leave no trace on the building after the sign is removed.
 - b. Sign colors shall be compatible with those of the building; a limited palette of no more than four colors should be used.
 - c. Traditional materials (wood and metal) are appropriate, while plastic is not. Neon signs may be used with the approval of the HPC. Other composite material may be approved by the Heritage Preservation Commission.
 - d. Modern back-lit fluorescent signs, animated signs, awnings, or electronic billboards and signs with changeable letters are prohibited.
 - e. Small free-standing or wall-mounted signs may be used to identify rear entrances or parking areas.
 - f. Wayfinding, directional, or upcoming event signs that maintain the historic character of the Downtown may be approved by the Heritage Preservation Commission.
 - g. All proposed signs must receive a sign permit from the Building and Inspections Department in accordance with Section 20.25 of the Municipal Code.
- (h) *Appeal.* Applicants may appeal any HPC decision to the Common Council. An appeal shall be in writing specifying the grounds upon which the appeal is based and shall be filed with the City Clerk within thirty (30) days of the date of the decision of the HPC that is being appealed.

This ordinance shall take effect and be in force from and after its passage and publication.

Timothy Kabat, Mayor

Teri Lehrke, City Clerk

Passed:

Approved:

Published: