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Perry Planning Commission - Agenda
Monday, August 22, 2016

CALL TO ORDER

ROLL

INVOCATION

APPROVAL OF MINUTES FROM August 08, 2016 MEETING

ANNOUNCEMENTS

The Campaign Notice, per O.C.G.A. 36-67A-3

Please turn cell phones off

OLD BUSINESS

1. #V-16-08 Ag Village Blvd.

PUBLIC HEARING (Planning Commission Decision)

1. #V-16-09 - 2157 Hwy 127

INFORMATIONAL HEARING (Planning Commission Recommendation)

1. #R-16-03 - Walker Farm Subdivision
2. PLDO Amendment Appendix B – Downtown Development District – Architectural and Signage Control Standards for Certificate of Appropriateness
3. PLDO Amendment Section 46 – Downtown Development District Certificate of Appropriateness
4. PLDO Amendment Article XV Soil Erosion and Sedimentation Control

NEW BUSINESS

OTHER MATTERS

ADJOURN

All meetings of the Perry Planning Commission are open to the public and are held at Perry City Hall located at 1211 Washington Street, Perry in Council Chambers at 6pm unless otherwise noted.

Perry Planning Commission
Minutes - August 08, 2016

CALL TO ORDER: Chairman Poole called the meeting to order at 6:00pm.

ROLL: Chairman Poole; Commissioners Beeland, Clarington, Jefferson, Mehserle, Williams and Yasin were present.

STAFF: Christine Sewell - Recording Clerk, Daniel Bass – Building Inspector, and Steve Howard – Chief Building Official.

GUESTS: Ms. Laura Whitman George, Mr. Chip Pottinger, and Mr. Brandon Lanham.

INVOCATION: was given by Commissioner Mehserle.

APPROVAL OF MINUTES FROM July 25, 2016 MEETING: Commissioner Beeland motioned to approve as submitted; Commissioner Yasin seconded; all in favor and was unanimously approved.

ANNOUNCEMENTS: Chairman Poole referred to the Campaign Notice, per O.C.G.A. 36-67A-3 and to please turn cell phones off.

PUBLIC HEARING (Planning Commission Decision)

1. #V-16-08 - Ag Village Blvd.

Ms. Sewell read the applicants' request which was for a variance to allow a sign package that is specifically for the Ag Village site including all parcels within the Ag Village boundary, along with staff responses.

Chairman Poole opened the public hearing at 6:12pm and called for anyone in favor of the request. Mr. Chip Pottinger with the Loudermilk Companies advised the area is a large development with exposure to three different areas; I-75, Hwy 41, and Perry Parkway, as well as other roads within the development. The sign packet provided included a site reference map for the various proposed signs and included future phases for development which would encompass retail, office, and residential components. Chairman Poole called for anyone opposed; there being none the public hearing was closed at 6:16pm.

Each of the specific signs and their locations on the property were reviewed. Mr. Howard advised the procedure he utilized to determine the variance(s) required. It was noted the monument signs as identified as "B" were on Hwy 41 and South Perry Parkway and those identified as "C" were on the perimeter of the property and are wayfinding. It was noted the existing sign identified as "D" is the old Priester's sign, and the sign identified as "A" is the development entrance sign.

NOTE: The sign package as provided from the applicant shall be incorporated as part of the minutes.

Chairman Poole asked if the signage would affect future individual businesses for wall signage with this request; it was advised it would not.

Mr. Pottinger advised in regards to the pole sign "D" they would like to enhance it with an electronic reader board. Commissioner Yasin questioned why there were so many signs throughout the area; and Chairman Poole voiced concern with the aesthetics of so many signs and their height.

On sign "A" it had originally been provided as a backlit sign designating Ag Village and the alternated submitted A1b had an alternate of an electronic board; Mr. Pottinger advised it was yet to be decided if an electronic reader would be used.

Commissioner Mehserle inquired is the sign ordinance so restrictive that it is not practical and thus the variance requirement before them was necessary and if the signs comply why the request. Mr. Pottinger advised the request is for less than what is allowed; Commissioner Mehserle had concern with setting precedence and the image with the amount of signage that would be visible from the interstate.

*Commissioner Jefferson left the meeting at 6:58pm.

Commissioner Yasin motioned to grant the variance for the "B" signs as submitted as long as they conform to setback requirements and any additional signage on the parcels be brought back to the Planning Commission for review; Commissioner Clarington seconded; all in favor with Commissioner Mehserle opposed and stating for the record a point of order that the request was for a variance. Resulting vote was 6 to 1 for approval as motioned.

Commissioner Mehserle motioned to table the "C" signs as submitted for further staff review; Commissioner Clarington seconded; all in favor and was unanimously approved.

Commissioner Yasin motioned to recommend approval of sign "A1b" as submitted; Commissioner Clarington seconded; all in favor and was unanimously approved.

Commissioner Mehserle motioned for denial of sign "D" as submitted; Commissioner Clarington seconded; all in favor and was unanimously denied.

INFORMATIONAL HEARING (Planning Commission Recommendation)

1. #SE-16-02 – 300 Spring Creek Drive

Ms. Sewell read the applicants' request which was for a special exception to operate a day care home in an R-3, Multi-Family Residential District, along with staff responses.

Chairman Poole opened the public hearing at 7:30pm and called for anyone in favor of the request. Ms. George advised she owns this property, but lives on Swift Street and had intended to do at that location, but under State of Georgia regulations it did not meet their standards and the Spring Creek Drive location did. Chairman Poole called for anyone opposed; there being none the hearing was closed at 7:32pm.

Commissioner Yasin asked Ms. George about the number of children allowed and was advised (12) per the state. Mr. Howard advised per the PLDO the maximum allowed was (6) and reviewed the definition of a daycare home and day care center; it was noted if the applicant wished to have (12) children it would not be permissible per the PLDO and would have be in a commercially zoned area.

Mr. Howard advised day care homes had been authorized in the past and for no more than six children. Ms. George advised per state regulations she was required to have (35) square feet per child, which the location does and she stays at the house at least three nights a week with her children.

*Commissioner Jefferson returned to the meeting at 7:40pm.

Commissioner Beeland motioned to recommend denial of the application as submitted as the applicant does not reside in the home; Commissioner Williams seconded; with Commissioners Clarrington and Yasin opposed; resulting vote was 4 to 2 for denial.

2. PLDO Amendment Section 80.1 and 80.6

Ms. Sewell advised the two amendment changes were due to both sections advising Houston County Health Department approval was required for residential swimming pools when it was not. Chairman Poole opened the public hearing at 7:45pm and called for anyone in favor or opposed; there being none the hearing was closed at 7:46pm.

Commissioner Mehserle motioned to recommend approval of the PLDO amendments as submitted to Mayor & Council; Commissioner Yasin seconded; all in favor and was unanimously approved.

ADJOURN : there being no further business to come before the board the meeting was adjourned at 7:52pm.



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Department of Community Development

TO: Perry Planning Commission

FROM: Steve Howard 

DATE: August 12, 2016

RE: Ag Village Sign Variance V-16-08 specifically sign C.

The Commission, at the Planning Commission Meeting on August 8, 2016, tabled any action regarding sign C for clarification as to whether or not this sign type and the number proposed needed a variance. Sign C is to be a monument style sign. The maximum height of the sign is shown to be 9' 11.25". I am going to round this up to 10' for discussion purposes.

Section 106.5.4 paragraph A sub paragraph 3 item c states; the maximum height for monument or ground signs in C-2 is 20'. (Page 141 of PLDO). The height of the proposed sign is not an issue.

The same section addresses the allowable square footage. This is found in paragraph 3 b on page 141 of the PLDO. This section states; ... sign area shall not exceed 60 square feet and shall be limited to one such sign per parcel per street frontage. A maximum of (2) Monument or Ground signs are permitted.

Let's address the square footage first. The proposed sign C has a sign face area of 56 square feet. This includes the copy for Ag Village and the Tennant Copy cabinet. The sign area is not an issue as the allowable square footage is 60 square feet. We have addressed the height and it is not an issue and we have addressed the size and it too is not an issue. The final question is the number of signs.

The PLDO as we looked at in the third paragraph will allow a maximum of (2) Monument or Ground signs if there are two street frontages. I reviewed the site plan submitted, the tax assessor's site and a plat of survey for Ag Village the City approved in June of 2016 to try and determine the number of allowable signs. The tax site has not been updated to reflect the platted changes, the plat of survey the City approved does not show all parcels in the area that are or could be part of Ag Village so I used the site plan submitted with the Variance application determine the number of signs I believe would be permissible without a Variance. I have identified them on the attached site by highlighting them in green with a number in the center. I have not considered who owns what at this time, only the number of parcels and the street frontage. Based on that review, I have identified 19 monument signs being allowed. If the large parcel that is adjacent to HWY 41 is divided there could be two more signs. I identified them as



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Department of Community Development

A and B. This would bring the total allowable signs to 21 signs. Therefore the number of signs is not an issue either.

The issue or the location which I believe needs a variance is on the Brannen Outfitters property. They have only one street frontage. They would be limited to two Pole signs or a combination of one Pole and one monument sign. To allow the two C signs on the Brannen Outfitters property would take a variance. Granting the variance would mean Brannen Outfitters would have two Monument signs and one Pole sign. (existing high rise monopole sign which became nonconforming due to height and square footage when the sign ordinance was changed.

You may want to consider approving the Variance and limiting the total number of sign C to the triangle area from the off ramp to HWY 41 to the Perry Parkway to thirteen signs. This would allow four additional signs on the parcels where I have identified signs 1,2, 4,5,6,and 7 Note the four additional signs would be the one B sign approved and 3 C signs.

STAFF REPORT

CASE NUMBER: V-16-09

APPLICANT: Ocmulgee Inc. for Foundation Academy

REQUEST: Variance to Section 217 Tree Preservation and Replacement Standards

LOCATION: 2157 HWY 127, P61-13

ADJACENT ZONING/LAND USES:

Parcel: C-2	-Daycare Center under construction
North: C-2	-Dentist Office under construction
South: C-2	-Vacant Lot
East: R/W	-Hwy 127, Houston Lake Road
West: C-2	-Vacant Lot

SECTION OF ORDINANCE BEING VARIED: Section 217 Tree Replacement (5)
Determination of site density factor, (g) Alternative Compliance.

CONDITIONS NECESSARY FOR A VARIANCE:

- 1. Are there any special conditions resulting in a hardship?* There are no special conditions. The lot was a forested lot.
- 2. Is the hardship the result of the applicant's own actions?* Yes, the hardship is the result of the owner needing to remove all vegetation in order to build the proposed daycare center.
- 3. Can the violation be remedied by other means?* The owner could plant the required number of tree either on site or offsite as the ordinance allows. The third option is to contribute to the tree fund.
- 4. Is request the minimum needed to remedy the violation?* The request is the minimum needed to allow the structure to be built in its current location with the landscaping plan submitted.
- 5. Was the violation deliberate, intentional, or the result of negligence?* There is currently no violation. The applicant can meet the requirements by complying with the ordinance.

6. *Will the request be detrimental to the use and enjoyment of neighboring properties?*
The request should not be detrimental to the use and enjoyment of surrounding properties
7. *Has a variance been previously granted?* There are no records of a Variance being granted for this parcel.

REQUEST ANALYSIS: The applicant is requesting relief to the density requirement as required in Section 217 - Tree Preservation and Replacement Standards

STAFF CONCLUSIONS: The applicant is constructing a 16,000 square foot daycare center on the parcel. The center is to serve up to 300 children with a staff of 35. The development is on 2.50 acres of land. In review of the project the designers have chosen to clear cut the property and have submitted a landscaping plan. In review of the landscaping plan it was found not to be in compliance. The ordinance requires a site density factor of 15 units per acre. Section 217 (f) Tree Preservation and Protection (5) Determination of Site Density Factor page 274..

The requirement is to take the total acreage and multiply by the 15 units. The required site density factor for this site is 37.5 units. The typical size tree that is planted has a caliper of 2.5 to 3 inches which has a unit credit of 0.6 units. We normally don't see any larger sizes due to cost and the delay in the tree growing. Typically tree larger than 4 inches to 6 inches lose a growing cycle due to shock of transplant. The plans indicate 19 trees are to be planted in the 3 inch caliper size. This equates to a site density of 11.4 units. This is 26.1 units short of the required of 37.5 units. (See pages 281 through 282 of the PLDO).

The applicant may plant trees at an additional site approved by the City or contribute to the tree fund. The additional number of trees to be planted using the 3 inch caliper unit is 43.5 trees. The alternative to the additional trees being planted is to contribute to the tree fund. The amount of that contribution should be \$11,848.00 dollars based on using a 3 inch caliper tree. The applicant is asking relief from the additional trees or contribution.

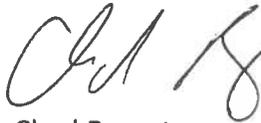
8/1/2016

City Of Perry
1211 Washington St
Perry, GA 31069

RE: Request for Variance for Foundation Academy

Dear Sir,

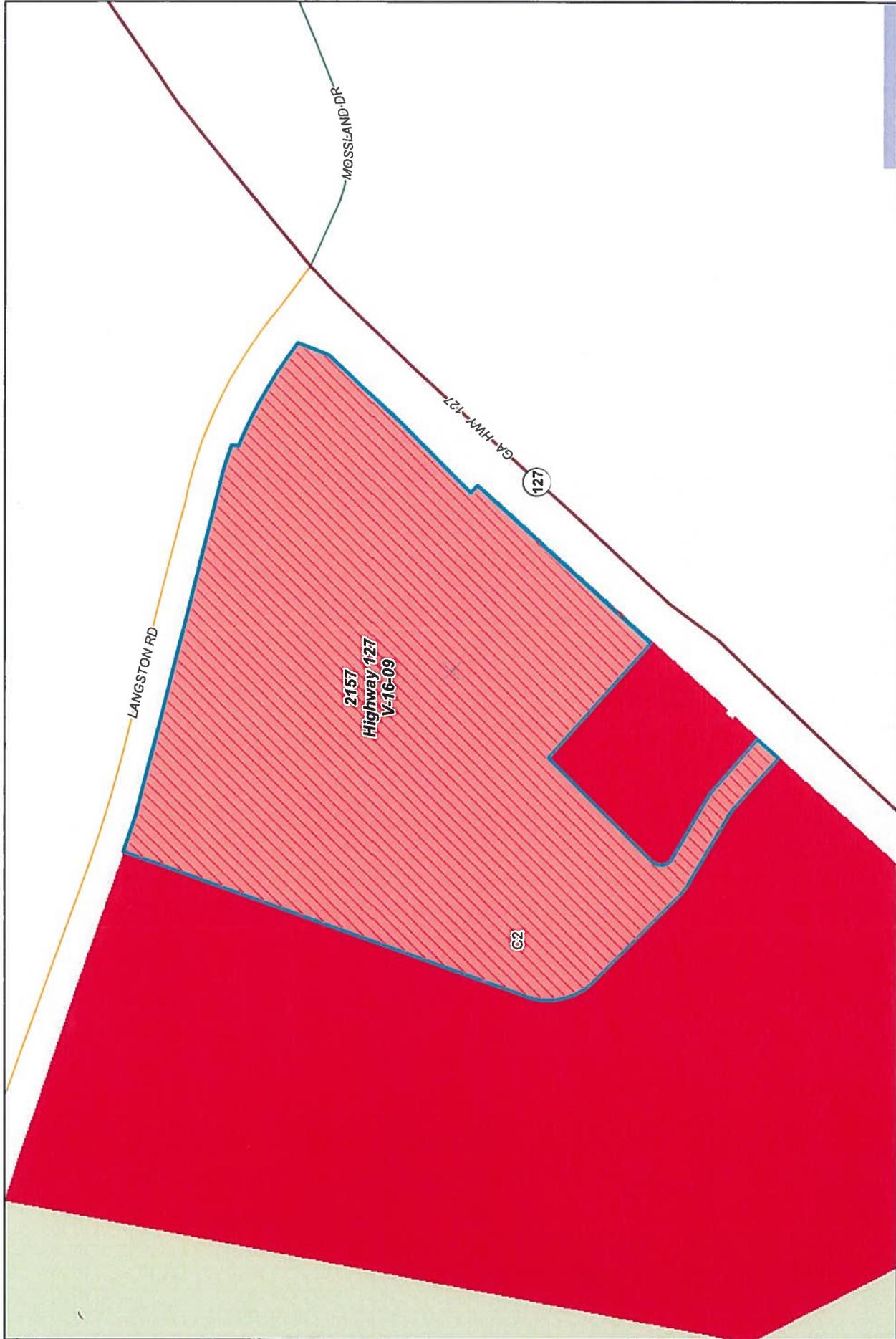
Ocmulgee Inc. is representing Foundation Academy for the construction of a new day care center on Hwy 127. We are asking for relief from the tree ordinance for this project and will substitute substantial landscaping in its place. The reason for asking for this variance is that much of the site will be a playground area. Having this area planted with large numbers of trees would pose a risk to the safety of the children with falling limbs. This area will also require constant maintenance to keep the debris from the trees out of the playground area. We are asking to substitute substantial landscaping in place of the trees. Thank you for your consideration in this matter.



Chad Bryant
Ocmulgee, Inc.

City of Perry Zoning Review

Case: V-16-09



1 inch = 200 feet



Legend

C3	M2	R2
LC	GU	R2A
C1	IN	R3
C2	M1	RAG
		RMH
		PUD
		R1

STAFF REPORT

CASE NUMBER: R-16-03

APPLICANT: TL-Higdon's Mulligan LLC.

REQUEST: Alter the standards for the existing PUD #10

LOCATION: Walker Farms S/D Lots 1, 2, 3, 4, 38, 39, 40, 163, 164, 165, 166, 193, & 194.

ADJACENT ZONING/LANDUSES:

Parcel: PUD	Vacant Land/Single Family
North: PUD	Vacant Land
South: PUD	Vacant Land/Single Family
East: PUD	Vacant Land/ Single Family
West: PUD	Vacant Land/Single Family

STANDARDS GOVERNING ZONE CHANGES:

1. *The suitability of the subject property for the zoned purposes. The property is currently zoned PUD. The applicant desires to change a condition of the PUD*
2. *The extent to which the property values of the subject property are diminished by the particular zoning restrictions. The market for the style of development originally proposed has not materialized.*
3. *The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public. The destruction of property values does not promote public welfare.*
4. *The relative gain to the public as compared to the hardship imposed upon the individual property owner. The gain to the public may be a more desirable style of dwelling.*
5. *Whether the subject property has a reasonable economic use as currently zoned. The property has a reasonable use as currently zoned.*
6. *The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property. There has not been a building permit issued for a new dwelling in Walker Farms since 2011. All developed lots not having the requirement of a rear entry drive off the access easement have been developed.*
7. *Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property. The proposed change will allow drive ways to enter off the boulevard which seems to be one of the contributing factors for these lots not developing.*

8. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.* The proposed zoning will change the boulevard overall design and create the potential for traffic issues if the condition is removed. The boulevard is designed to move traffic through the neighborhood. There are six dwellings currently facing the boulevard, three corner lots have a side street entry.

9. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.* The Character Area Map from 2007 depicts this area as Urban Residential. The proposed change is in conformance with the land use plan.

10. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.* The proposal will allow the development to be served with sanitary sewer instead of septic tank and should result in a section of an unpaved street being improved.

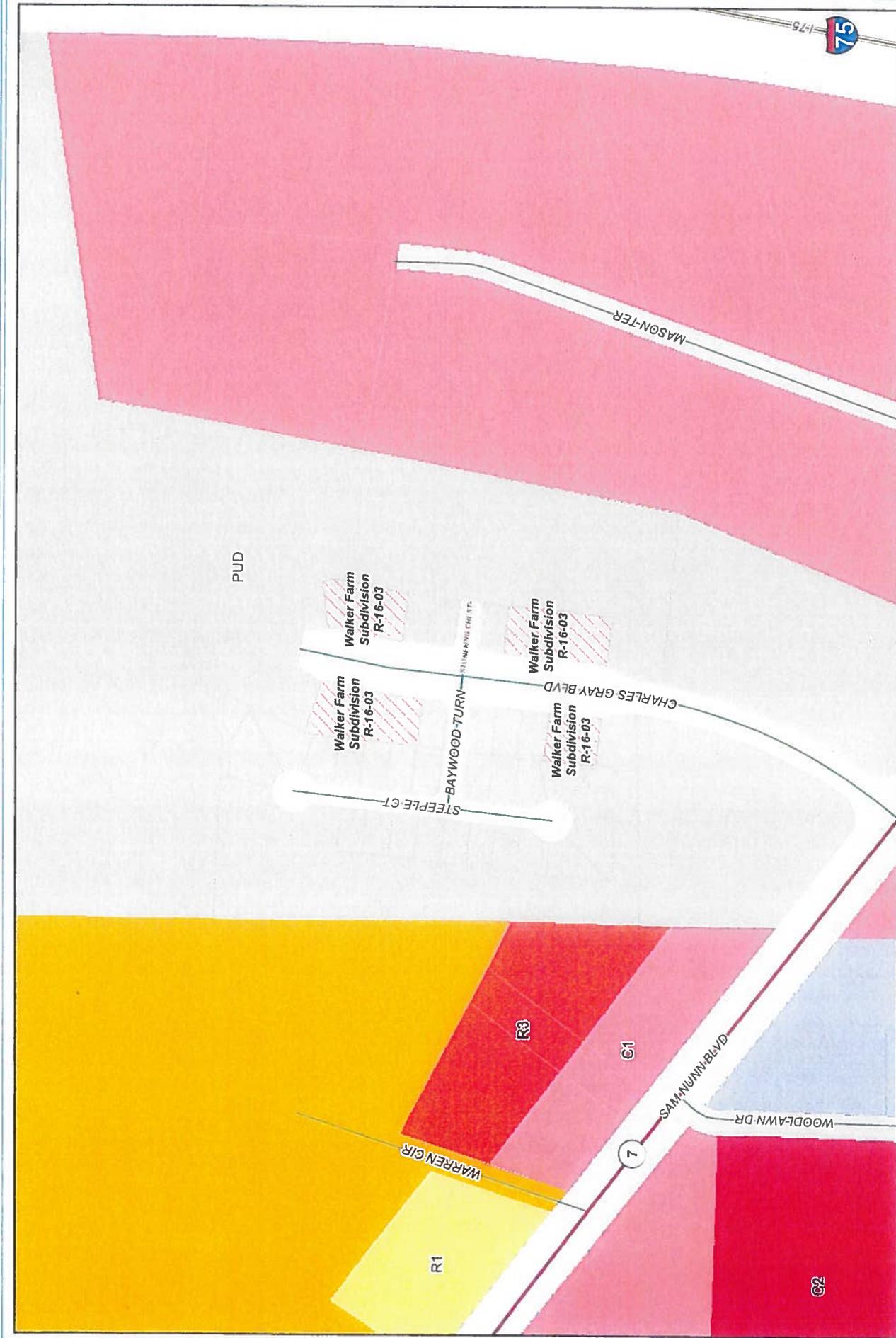
11. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.* Its reasonable to conclude the rear entry lots are not favorable to develop given all other lots are developed. However, the concept to take the boulevard to the Perry Parkway must be considered the priority.

STAFF CONCLUSIONS:

The applicant desires to remove the condition of a rear entry only driveway for the thirteen lots listed. There has been no new permit issued since 2011. The only lots available to develop today require a rear entry driveway across the easement. Changing the condition may allow the thirteen lots to develop more quickly. The big picture here is whether or not future development of Walker's Farm is going to be with a true boulevard that has no driveways connecting or allow driveways to enter from the boulevard and impede the flow of traffic. The original PUD classification was for the condition of no driveways from the boulevard. There are three different property owners and eight tenths of a mile of new road to be constructed in order for the boulevard to connect to the Perry Parkway. I was not able to determine if the property owners, Cutcord 100 LLC, Notes Acquisitions LLC or the applicant have plans to develop the remainder of the properties as originally submitted. Staff is not in favor of the request. The need to have a connector between the Perry Parkway and Sam Nunn Boulevard was a factor in approving the original PUD Classification.

City of Perry Zoning Review

Case: R-16-03



PUD

Walker Farm
Subdivision
R-16-03

Walker Farm
Subdivision
R-16-03

Walker Farm
Subdivision
R-16-03

Walker Farm
Subdivision
R-16-03



1 inch = 300 feet



Legend	
■	R2
■	M2
■	C3
■	GU
■	IN
■	M1
■	M1H
■	PUD
■	R1
■	RAG
■	RM1H
■	LC
■	C1
■	C2
■	C1
■	C2
■	C3
■	OC
■	R2A
■	R3

TL-Higdon's Mulligan LLC
 42 Brunswick Point Drive
 Brunswick, GA 31525

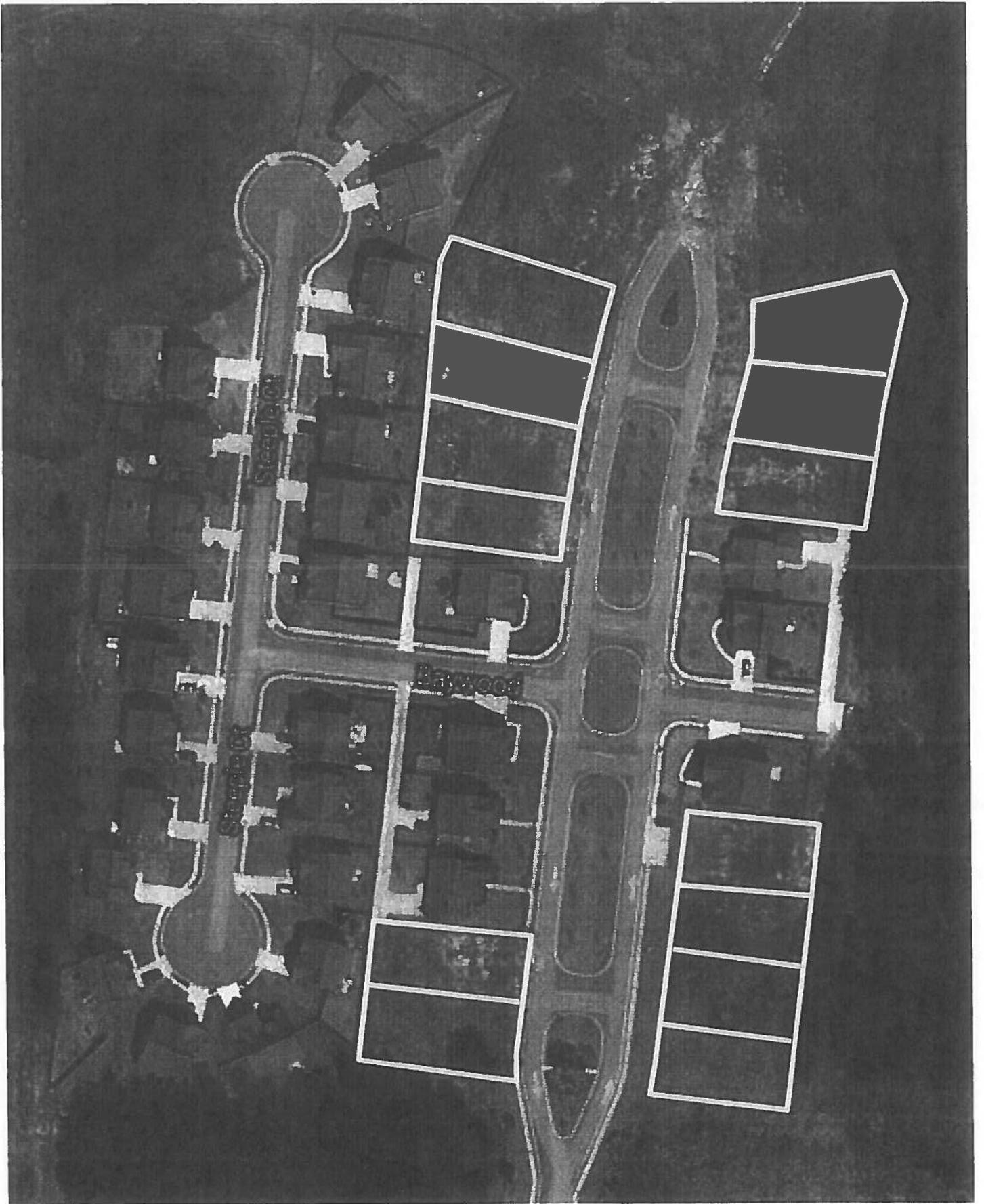
Phone: (404) 219-5559

Email: bob@gazellecre.com

Date:	7-19-2016
Sent to:	Houston County Tax Commissioner <i>city of Perry</i>
Re:	List of 13 lots fronting Charles Gray Blvd (Perry, GA) TL-Higdon's Mulligan LLC, current owner

One check is enclosed for the payment of the following properties:

Lot Count	Tax Parcel #	Address & Lot # (Phase I of Walker Farms)	Lot #	Description
1	OP0690 001000	200 CHARLES GRAY BLVD (LOT #: 1)	1	Walker Farms S/D Phase I Lot #: 1
2	OP0690 002000	202 CHARLES GRAY BLVD (LOT #: 2)	2	Walker Farms S/D Phase I Lot #: 2
3	OP0690 003000	204 CHARLES GRAY BLVD (LOT #: 3)	3	Walker Farms S/D Phase I Lot #: 3
4	OP0690 004000	206 CHARLES GRAY BLVD (LOT #: 4)	4	Walker Farms S/D Phase I Lot #: 4
5	OP0690 038000	304 CHARLES GRAY BLVD (LOT #: 38)	38	Walker Farms S/D Phase I Lot #: 38
6	OP0690 039000	306 CHARLES GRAY BLVD (LOT #: 39)	39	Walker Farms S/D Phase I Lot #: 39
7	OP0690 040000	308 CHARLES GRAY BLVD (LOT #: 40)	40	Walker Farms S/D Phase I Lot #: 40
8	OP0690 163000	309 CHARLES GRAY BLVD (LOT #: 163)	163	Walker Farms S/D Phase I Lot #: 163
9	OP0690 164000	307 CHARLES GRAY BLVD (LOT #: 164)	164	Walker Farms S/D Phase I Lot #: 164
10	OP0690 165000	305 CHARLES GRAY BLVD (LOT #: 165)	165	Walker Farms S/D Phase I Lot #: 165
11	OP0690 166000	303 CHARLES GRAY BLVD (LOT #: 166)	166	Walker Farms S/D Phase I Lot #: 166
12	OP0690 193000	203 CHARLES GRAY BLVD (LOT #: 193)	193	Walker Farms S/D Phase I Lot #: 193
13	OP0690 194000	201 CHARLES GRAY BLVD (LOT #: 194)	194	Walker Farms S/D Phase I Lot #: 194





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TO: Perry Planning Commission
FROM: Christine Sewell – Administrative Assistant 
DATE: August 3, 2016
RE: PLDO Amendments

Recently there have been some changes with regards to the issuance of Certificate of Appropriateness (COA) in the Downtown District. When the Main Street Advisory Board was formed the functions for review fell to the Main Street Design Committee with the Economic Development Department issuing the COA once the process was completed.

The procedures for approval and issuance will remain, but Economic Development will no longer issue the COA, it will fall to the responsibility of the Community Development Department.

COA's are addressed in two sections in the PLDO: Appendix B and Section 46 and therefore, both sections need to be amended. Copies of the sections are attached with the language highlighted in ~~red and strikethrough~~.

Should you have any questions, please let me know. Thank you.

**DOWNTOWN DEVELOPMENT DISTRICT
OF THE
CITY OF PERRY**

**ARCHITECTURAL AND SIGNAGE CONTROL STANDARDS FOR
CERTIFICATE OF APPROPRIATENESS PERMITS**

These standards have been established under the authority of the City of Perry Land Development Ordinance; specifically, Article IV, Section 45, Sub-Section 45.3 of said ordinance.

The Downtown Development District Ordinance was enacted to provide Standards for Architectural and Signage Control. The purpose is to make the Downtown Development District a more visually attractive and historically accurate area that will enhance the natural and visual assets of the District, its gateways and corridors.

The intent of these standards is to provide necessary information to facilitate development design, plan review, ensure the preservation of the District and enforcement process in order that the provisions of the ordinance are administered in the most effective, efficient and economical manner.

2.01 SIGNAGE CERTIFICATE OF APPROPRIATENESS

All signs shall require a Certificate of Appropriateness issued by the City of Perry ~~Economic Development~~ **Community Development** Department prior to erecting the sign. The City of Perry ~~Economic Development~~ **Community Development** Department may exempt signs which are in conformance with the Standards for Architectural and Signage Control at their sole discretion. **The standards for signage are contained in Section 106 of the Perry Land Development Ordinance.**

2.02 ARCHITECTURAL STANDARDS

- 1) The intent of this section is to encourage and maintain the viability and visual compatibility of structures in the Downtown Development District.
- 2) Within the Downtown Development District, new construction and existing buildings, structure, and appurtenances attached thereto which are moved, reconstructed, materially altered, repaired or painted, including repainting the same color, shall be visually compatible with buildings, squares, and places to which they are visually related generally, in terms of the following factors:
 - a) Height. The height of the proposed building shall be visually compatible with adjacent buildings.
 - b) Proportion of Building From Façade. The relationship of the width of building to the height of the front elevation shall be visually compatible with buildings, squares, and places to which it is visually related.
 - c) Proportion of Openings Within the Facility. The relationship of the width of the windows in a building to the height of the windows shall be visually compatible with buildings, squares, and places to which it is visually related.
 - d) Rhythm of Solids to Voids in Front Facades. The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, squares, and places to which it is visually related.

- e) Rhythm of Spacing of Buildings on Streets. The relationship of buildings to open space between it and the adjoining buildings shall be visually compatible to the buildings, squares, and places to which it is visually related.
 - f) Rhythm of Entrance and/or Porch Projection. The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible to the buildings, squares, or places to which it is visually related.
 - g) Relationship of Materials. Texture and Color. The relationship of the materials, texture and color of the façade of a building shall be visually compatible with the predominant materials in the buildings to which it is visually related.
 - h) Roof Shapes. The roof shape of a building shall be visually compatible with the buildings to which it is visually related.
 - i) Walls of Continuity. Appurtenances of a building such as walls, wrought iron, fences, evergreen landscape masses, building facades shall if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building to the buildings, squares, or places to which it is visually related.
 - j) Scale of a Building. The size of a building, the building mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings, squares and places to which it is visually related.
 - k) Directional Expression of Front Elevation. A building shall be visually compatible with the buildings, squares and places to which it is visually related in the directional character, whether this is vertical character, horizontal character or non-directional character.
 - l) Temporary structures are permitted for construction projects or catastrophic loss. These structures require approval from the ~~Downtown Development Authority~~ **Community Development Department**.
- 3) Colors: Colors should be in keeping with color palettes currently in use, or of historical significance to the City of Perry. The ~~Economic~~ **Community** Development Department may suggest or make available certain color palettes, which are not required to have a Certificate of Appropriateness.
- 4) Within the Downtown Development District, new construction and existing buildings, structure, and appurtenances attached thereto which are moved, reconstructed, materially altered, repaired or painted, including repainting the same color, shall be visually compatible with buildings, squares, and places to which they are visually related generally, in terms of the following factors:

2.03 ARCHITECTURAL CERTIFICATE OF APPROPRIATENESS

1) Architectural Approval:

- a) Repairs: Repairs or maintenance required including changing of doors, windows, roofing, decayed wood or repainting are exempt from the hearing procedure provided the repair does not significantly alter the existing structure.

2.04 PERMITS

All required building permits and zoning approvals shall be secured from the Community Development Department and a Downtown Development District Certificate of Appropriateness shall be secured from the ~~Economic~~ **Community** Development Department prior to commencement of work.

Section 46. Downtown Development District Certificate of Appropriateness.

46.1. Certificate of Appropriateness. Application for a Downtown Development District Certificate of Appropriateness shall be made to the office of the Zoning Enforcement Officer on forms provided therefore, obtainable from the office of the Zoning Enforcement Officer. Detailed drawings, plans or specifications shall not be required but each application shall be accompanied by such sketches, drawings, photographs, descriptions, or other information showing the proposed sign, exterior alterations, additions, changes of new construction as are reasonably required for the ~~Economic~~ **Community** Development Department.

46.2. Action on Application for Certificate of Appropriateness. The Zoning Enforcement Officer shall transmit the application for a Downtown Development District Certificate of Appropriateness, together with the supporting information and materials, to the ~~Economic~~ **Community** Development Department for approval. The ~~Economic~~ **Community** Development Department shall receive the application, together with the supporting information and materials, and act upon the application, within 30 days after filing thereof, otherwise the application shall be deemed to be approved and a Certificate of Appropriateness shall be issued. Nothing herein shall prohibit an extension of time where mutual agreement has been made. The ~~Economic~~ **Community** Development Department shall present the application for a Certificate of Appropriateness to the Downtown Development District Board of Review and the Board may advise the ~~Economic~~ **Community** Development Department and make recommendations in regard to the appropriateness. If the ~~Economic~~ **Community** Development Department approves the application, a Certificate of Appropriateness shall be issued. If the Certificate of Appropriateness is issued, the application shall be processed in the same manner as applications for building permits. If the ~~Economic~~ **Community** Development Department disapproves the application, a Certificate of Appropriateness shall not be issued. The ~~Economic~~ **Community** Development Department shall state its reasons in writing, and shall advise the applicant and a Certificate of Appropriateness shall not be issued.

46.3. Appeal Provision. Any person adversely affected by any determination made by the ~~Economic~~ **Community** Development Department relative to the issuance or denial of a Downtown Development District Certificate of Appropriateness may appeal such determination to the Planning Commission.