

Section 30-27 Downtown Overlay District [revised 8/11/09]**(A) Purpose**

The Downtown Overlay District is established to foster a strong viable downtown as a commercial, civic, residential, and cultural center with its own identity in an area generally considered to be the City's historic Central Business District. The majority of structures within the District were constructed prior to 1950 and significant number along N. Main Street prior to 1900. The purpose of this District is to implement minimum standards to enhance the unique historical identity found within this area.

The standards provided herein are intended to preserve and restore unique and historic buildings; ensure coordinated design of new and existing buildings, minimize adverse impacts on adjacent properties from buildings that may detract from the character and appearance of the district; protect vehicular and pedestrian movements throughout the area; and aid in improving the overall economic viability of the district. Properties in this District, listed in or eligible for listing in the National Register of Historic Places are encouraged to utilize the Secretary of the Interior's Standards for Preservation; Rehabilitation; Restoration; and Reconstruction. New buildings should be compatible in character with structures in the immediate vicinity, considering mass, bulk, architecture, materials and color.

Development within this area generally took place prior to automobile oriented design and as such new automobile oriented uses such as fast food restaurants, gas stations, automobile sales and service, and drive-thru facilities, are discouraged in this district as are warehousing and storage operations.

(B) General Land Use

- (1) Permitted Uses. Any use permitted within the underlying zoning district, unless otherwise provided in this Chapter.
 - (a) Residential uses are limited to upper floor areas. No separate residential structures are permitted on the same property with a non-residential or mixed commercial/industrial/residential structure. Minimum dwelling unit area is four hundred (400) square feet per unit.
- (2) Prohibited Uses. New single and two family structures and uses other than those created above the ground floor.
- (3) Conditional Uses. Any conditional use permitted within the underlying zoning district except M-1 Light Industrial District uses.

(C) Building Design Standards

These architectural standards shall apply to new building construction and building additions and façade renovation projects involving 50% or more structural work to a facade. Where an addition is made to an existing building, the architectural standards shall apply only to the new construction. Interior remodeling of existing structures shall not cause the exterior of the building to be subject to the architectural standards.

- (1) Building Entrances. Buildings shall have at least one public entrance facing the primary street. Secondary entrances may be provided to the side or rear of the structure.
- (2) Building Frontage. Buildings shall be oriented to the public street with traditional storefronts on the ground floor. A minimum of seventy percent (70%) of the building façade shall be constructed at the setback line. Any façade adjacent to a public street shall be considered a primary façade.
- (3) Vertical and Horizontal Design
 - (a) Building facades shall incorporate exterior horizontal belt course design elements for the building base, middle, and cap through techniques such as copestone, dripstone, string course, water table and/or plinth using natural stone masonry.
 - (b) Horizontal elements shall visually align with similar horizontal design elements of adjacent historic structures.
 - (c) Building facades shall incorporate exterior vertical banding techniques using natural stone or masonry to visually define building subdivisions of wall planes, modules, or building façade focal points.
- (4) Height. No restrictions.
- (5) Windows and Doors. Doors and windows should be similar in size, proportion, and alignment based on the architectural style of the building and to those on adjacent building facades. Original door and window openings (including transoms, lintels, sills) and accenting features shall be maintained and shall be restored to original size and style if the façade is being renovated. A minimum of sixty percent (60%) of the street side of the front façade between two (2) and ten (10) feet above grade shall consist of transparent, non-tinted windows and doors.
 - (a) Upper Story Windows. Transparent glass or façade openings shall comprise a minimum of twenty percent (20%) of the wall/façade area of each floor above the first floor facing a street and shall not exceed a maximum of fifty percent (50%) of the wall/façade area of each floor above the first floor facing a street. Window frame heights shall be a minimum of one and one-half times the window frame width.
 - (i) New windows shall replicate the originals in size, style, spacing, and division. They shall replicate the original height including transoms up to the original header height where determinable including inclusion of existing circle top or arched topped motifs.
 - (ii) New window frames shall incorporate window sills and lintels and/or window heads that are visually distinct from the primary exterior finish materials used on the respective facade.
 - (b) Existing window and door openings shall be maintained and shall not be permanently closed. Temporary closure shall be permitted for a period not to exceed thirty (30) days. A building permit shall be required for the temporary closure.

- (c) Window openings shall not be enlarged or reduced to fit new units unless being done to replicate original openings.
 - (d) Removal of over-door and window air-conditioning units and restoration of transoms is required when new storefronts facades are being structural rehabilitated in excess of fifty percent (50%) of the façade.
- (6) Replacement Windows. Replacement windows shall fit exactly into the original window openings. When replacement windows are necessary, the replacement windows should match the historic windows in size, shape, arrangement of panes, and materials. If metal replacement units are used, those units shall be of baked enamel or similar finish.
- (7) Exterior Finish Materials. Primary exterior building materials shall not be dissimilar to existing structures within the immediate area or the downtown area as a whole. Primary exterior building finishes shall make-up at least 75% of the façade finish and consist of material equivalent in grade and quality to the following:
- (a) Clay or masonry brick
 - (b) Natural stone as secondary material
 - (c) Cut, cultured, or carved stone
 - (d) Tilt up concrete panels that have a grid or brick-like appearance
 - (e) Customized concrete masonry units with striated, scored or broken faced brick type units (sealed) with color consistent design theme is permitted as a secondary material and as a primary material through conditional use permit.
 - (f) Ceramic tile, terra cotta
 - (g) Cast Iron
 - (h) EIFS (Exterior Insulating and Finishing System) may be used but not as a primary exterior material.
 - (i) Metal may be used but not as a primary exterior material. Any metal surface shall be coated or anodized with a non-reflective, glare free-finish.
 - (j) In conditions where the side and rear elevation is not exposed to view from a public street, the elevation may be constructed with a combination of primary and secondary materials with no less than 50% of the exterior exposed walls consisting of a primary material.
 - (k) All exterior, exposed walls of a public façade of any accessory structure shall be constructed of similar materials used on the principal structure in terms of color and texture.
 - (l) When facade changes are made, hidden architectural elements and original materials shall be restored or replaced to match the original architecture of the building (e.g. such as brackets, corbels, lintels, unique brick designs). Existing elements shall not be covered or hidden and additional covering-over is not permitted.
 - (m) Exceptions to this exterior standards section may be granted by the Director of Community Development for materials of comparable design and quality.

- (8) Prohibited Materials
- (a) Non-decorative exposed concrete block.
 - (b) Pre-engineered metal building systems.
 - (c) Corrugated metal-sided building systems
 - (d) Wood siding
 - (e) Fiber cement siding
 - (f) Sheet Metal
 - (g) Aluminum siding
 - (h) Vinyl siding
 - (i) Plywood or Oriented Strand Board (OSB) or similar material.
- (D) Signage. Signage is an integral component of maintaining the historic character of the area. This section supplements Section 30-37 of the Zoning Ordinance. Should any specific revision in this section conflict with any general provision of this chapter, the specific provision of this section shall take precedent.
- (1) Design. The overall design of all signage including the mounting framework shall relate to the design of the principal building on the property. Buildings with a recognizable style should use signage of the same style. For buildings without a recognizable style, the sign shall reflect the decorative features of the building or the elements of the buildings in the adjacent area, utilizing the same materials and colors of the façade.
- (2) Signs shall be for the purpose of identifying businesses. No permanent signs displaying advertising or promotions are permitted other than those relating to the primary use of a property. Lettering describing a business's general goods and services may be permitted if it conforms to other guidelines as to size and quality.
- (3) Prohibited Signs
- (a) Portable Signs
 - (b) Electronic message board signs.
 - (c) Inflatable, moving, animated and revolving signs.
 - (d) New box/wall cabinet signs.
 - (e) Signs hand painted on wood, plastic, metal, or similar materials.
 - (f) Signs hand painted on the building elevations will be allowed only with approval of the Plan Commission and the Common Council.
 - (g) Sheet metal, sheet plastic and thin plywood (less than $\frac{3}{4}$ inches thick) and other thin flat materials including stick on vinyl lettering, etc with the exception as backing panels.
- (4) Mounting and Placement.
- (a) Signs shall be mounted or erected so they do not obscure the architectural features or openings of the building.
 - (b) Signs shall not be located in the right-of-way except projecting from the building in conformance with this Ordinance
 - (c) Ground-floor businesses in multi-story buildings cannot mount wall signs higher than the bottom of the second floor window sill or eighteen (18) feet above grade, whichever is less.

- (5) Projecting Signs. Projecting signs shall be double faced and wording shall be limited to tenant's store name and logo only. Reference to merchandise or activity is only permitted if part of the store name. Signs can be shaped to conform with the tenant's logo, typestyle or distinctive shape if it does not exceed the standards of this Section.
- (a) Projecting signs shall be considered double-faced signs.
 - (b) Projecting signs shall not exceed sixteen (16) square feet in area including both sides of the sign eight (8) square feet maximum per sign face).
 - (c) Only one projecting sign shall be allowed per building per street frontage or storefront.
 - (d) Projecting signs must clear sidewalks by at least eight (8) feet and may project no more than four (4) feet beyond the structure to which it is mounted or closer than three (3) feet of an established curb line, whichever is less.
 - (e) The top of the projecting sign shall not be installed above the window sill of the second story or eighteen (18) feet, whichever is less.
 - (i) Exception. The sign height may be raised to within eighteen (18) inches of the window sill if the Zoning Administrator determines that the sign cannot reasonably be placed within the storefront cornice sign band area.
 - (f) Projecting signs shall not be placed within fifteen (15) feet of another projecting sign. If the fifteen (15) feet separation cannot be maintained, the Zoning Administrator may permit a lesser distance to obtain the maximum separation distance.
 - (g) Projecting signs shall not be internally illuminated but may be lit with neon or exposed incandescent bulbs.
 - (h) Projecting signs shall not interfere with street trees, streetlights, traffic devices, or any city streetscaping installed in the right-of-way.
 - (i) Projecting signs shall not be allowed at the intersection of streets except at right angles to a building front.
 - (j) Projecting signs shall be mounted a minimum six (6) inches from the building façade and no more than twelve (12) inches.
 - (k) Abandoned signs. The projecting sign, framing, and mounting hardware shall be removed within thirty (30) days when the owner or lessee of the premises no longer conducts business at the property.
- (6) Wall Signs. Wall signs are those signs attached and parallel to the building façade and which extend no more than six (6) inches from the surface of the wall. Wall signs are encouraged to be unique in character and its relation to the type of business it advertises.
- (a) Number. One (1) wall sign is permitted per storefront operation.
 - (b) Area. A wall sign shall not exceed five percent (5%) of the total square footage of the building façade or thirty-two (32) square feet, whichever is less. If the sign is comprised of the following materials, then a five percent (5%) increase in the above square footage is permitted:

- (i) Individual channel letters (minimum one (1) inch relief) applied to a backing panel.
 - (ii) Flat signs made of wood, metal, stucco, stone or brick with individual letters providing a minimum one (1) inch relief against the face of the sign.
- (c) Placement. A wall sign shall be placed no higher than the bottom window sill of the second floor or eighteen (18) feet whichever is less. Signs shall not obstruct any window, door, fire escape, stairway or any opening intended to provide air, egress or ingress for any building or structure. Signs should not obscure the prominent architectural features of a building such as ornamental masonry.
- (7) Sandwich Board Signs
- (a) One (1) sandwich board sign shall be permitted per property, per street frontage. In the case where the rear of the property abuts a public parking area, a sandwich board sign may be placed per the location requirements of subsection (m) below.
 - (b) Area. Sign face area shall not exceed twelve (12) square feet per sign face with a maximum of two (2) faces per portable sign.
 - (c) Width. Sign face shall not exceed three (3) feet measured at the widest point of the sign face.
 - (d) Height. Sign height shall not exceed four (4) feet measured from ground to top of sign.
 - (e) Ballast. Ballast shall be installed at the base of the sandwich board to ensure stability in windy conditions.
 - (f) Portability. Signs shall not be permanently affixed to any structure within the right-of-way or sidewalk.
 - (g) Color/Illumination. The sign shall not be painted traffic yellow or construction zone orange, nor be reflective, fluorescent, or illuminated.
 - (h) Signs shall not resemble or contain any MUTCD (Manual on Uniform Traffic Control Devices) compliant traffic control devices in size, shape, message, or color.
 - (i) Signs shall not be provided with any power for illumination.
 - (j) A maximum of one (1) sandwich board sign shall be permitted per property. No supplemental sign, notice, flag, balloon, or other decoration shall be attached to the sign.
 - (k) The sign shall be manufactured to a professional standard of construction, finish and graphics; be fabricated of sign grade wood or metal and be free standing and self-supporting and not be affixed to or mounted on wheels.
 - (l) The sign shall be maintained in good repair.
 - (m) Placement
 - (i) Sidewalk width. Signs shall be placed only on sidewalks where a minimum five (5) foot wide clear sidewalk is maintained. The sign shall be placed within three (3) feet of the building façade or between the sidewalk and the curb fronting the place of business in the sidewalk terrace area but no further than four (4) feet from the face of the curb head. The sign shall not hinder the ability of

persons to exit/enter vehicles parked along the curb and/or hinder exit/entry to a building.

- (ii) Removal. Sandwich board signs may only be displayed during the period a business is open to the public and shall be removed and stored inside the interior of the building at the close of business each day. Sandwich board signs shall not be placed in such a way as to interfere with snowplowing of the streets. The area around the sign shall be free of snow and ice and shall be placed on the ground at all times. Sandwich board signs shall not be placed on snowbanks. Businesses that utilize sandwich board signs shall hold the City harmless from damage to the signs due to snow removal and plowing.
- (iii) Location. Signs shall be located according to the following standards:
 - (aa) No sandwich board sign shall be placed within ten (10) linear feet of another sandwich board sign. Sandwich board signs shall not be located adjacent to a bus stop or placed to interfere with passengers boarding or alighting a transit vehicle. The sign shall not obstruct drivers' sight lines and shall be placed a minimum of twenty-five (25) feet from an intersection.
 - (bb) Sandwich board signs shall be placed a minimum of forty-eight (48) inches from all obstructions within the sidewalk right-of-way including newspaper boxes, outdoor tables/setting, trees and tree grates, bicycle racks, trash receptacles and any other item impeding pedestrian or wheelchair movement. Signs shall be placed a minimum of ten (10) feet from a building corner or pedestrian crosswalk. Signs shall not be closer than one (1) foot from the face of the street curb.
 - (cc) Sandwich board signs shall not block or interfere with any permanent or temporary traffic control devices.
 - (dd) Sandwich board signs shall not be located in any "bump out" area.
 - (ee) ADA Compliance. Sign placement shall meet all Americans with Disabilities Act (ADA) requirements.
- (iv) Permit Required. An annual permit shall be required for placement of sandwich board signs. Permits are issued on a calendar year basis and are valid from January 1 through December 31. Permit fees will be established by the Common Council.
- (v) Enforcement. More than two violations of the sandwich board sign standards in one calendar year shall result in the revocation of the permit for the portable sign. A new sandwich board sign permit shall not be issued for the business/property owner for a minimum of twelve (12) months from the date of the sign permit

revocation.

(8) Exempt Signs

- (a) Cornerstones stating the name and date of a building and incorporated into the building design as an architectural feature.
- (b) Landmarks Signs. Signs painted on a building facade that are at least fifty (50) years old which may no longer advertise an existing business activity and are determined to be a historic sign by the Plan Commission are exempt.

(E) Marquees/Awnings & Canopies

- (1) Marquees/awnings and canopies shall be supported solely by the building to which they are attached and no columns or posts shall be permitted as supports unless placed outside the right-of-way.
- (2) Height, Encroachment. The horizontal portion of the framework shall not be less than eight (8) feet nor more than twelve (12) feet above the sidewalk and the clearance between the covering or valance and the sidewalk shall not be less than seven (7) feet. Canopies shall be placed not less than three (3) feet from the curb line.
- (3) The valance, or front face, of an awning shall not exceed eight (8) inches in height.
- (4) Awnings, fixed or retractable shall be made of opaque fabric on a securely mounted metal frame in an angled configuration (sloping up from above the pedestrian walk to the building face).
- (5) Internally illuminated awnings are prohibited.
- (6) Awnings shall be the same color, pattern, and have the same mounting characteristics for a single business or property. Awnings on a single building shall have a consistent horizontal alignment across the front of the entire building, unless the slope of the pedestrian walk or ground requires a horizontal stagger.
- (7) Signage on awnings shall be limited to the valance only and shall not exceed eighty percent (80%) of the width of the awning.
- (8) Lettering shall not exceed eight (8) inches in height.
- (9) Awnings shall receive routine and proper maintenance so that they remain in good repair. Marquees, awnings, or canopies found to be in disrepair by the Zoning Administrator shall be ordered removed. Removal shall include all parts of the awning including frame and mounting brackets.

(F) Mechanical Equipment & Service Areas. Utility service boxes, telecommunication devices, cables, conduits, vents, turbines, flues, chillers and fans, trash receptacles,

dumpsters, service bays and recycling storage areas shall be screened from public view by incorporating the following design standards:

- (1) Locate mechanical equipment and service areas at the rear of the building, along an alley façade or on the building rooftop;
 - (2) Mechanical equipment and service areas shall be screened using architectural screen walls, screening devices, and/or landscaping; and
 - (3) Mechanical equipment located on a building rooftop shall be setback from the building edge a sufficient distance to screen the equipment from view from the adjacent streets.
- (G) Right-of-Way Encroachments. An encroachment permit shall be obtained from the City prior to placement of any wall or projecting sign, canopy/awning, or building appurtenance into the right-of-way.
- (H) Exceptions. Notwithstanding any of aforementioned exceptions permitted by the Director of Community Development or Zoning Administrator, exceptions to the provisions of this section of the Zoning Ordinance may be permitted through conditional use permit.