

**157.01 ESTABLISHED; DISTRICT BOUNDARIES.**

The Warren Redevelopment and Planning Corporation is hereby recognized as the designated agency to formulate proposed architectural standards including, but not limited to building design, landscape, signs and materials used in the City. The authority herein shall encompass the Central Business District. The Central Business District shall be defined as beginning at the northeast corner of South Street and Chestnut Avenue and proceeding north along the east rear property lines of Chestnut Avenue to the railroad tracks and then proceeding along the tracks northwesterly to the north rear property lines of Washington Street, N.E. and thence westerly along Washington to the northwest corner of Washington St., N.W. and Mahoning Avenue. South along the west rear property lines of Mahoning to the southwest corner of West Market and Main Street and continuing south to the southwest corner of Main Street and South Street, and proceeding east along the rear property lines of South Street to the point of origin.

(Ord. 9027/81. Passed 4-8-81.)

**157.02 POWERS AND DUTIES.**

(a) The Warren Redevelopment and Planning Corporation shall submit at the earliest possible time its proposed standards to Council for consideration, enactment and codification. Upon enactment, the Warren Redevelopment and Planning Corporation shall be charged with overseeing and enforcing such standards as stipulated by Council.

(b) The Council members representing the downtown vicinity and Council's Building and Grounds Committee shall act as ex-officio advisors in establishing these standards.

(Ord. 9027/81. Passed 4-8-81.)

**157.03 DESIGN REVIEW DISTRICT.**

(a) The boundaries for the Design Review District are provided in Section [157.01](#).

(b) All areas, places, buildings, structures, works of art, and other objects individually and collectively, whether owned or controlled privately or by any public body located within the part of the City commonly described as the downtown, both commercial and neighborhood, are hereby designated as areas, places, buildings, structures, works of art or other objects having special historical, architectural, community, or aesthetic interest and value.

(c) In all areas within the boundaries of the Design Review District the regulations for both the zoning classification and the design regulations shall apply. Whenever there is conflict between regulations of the zoning classification and design review regulations, the more restrictive shall apply.

(Ord. 9063/81. Passed 6-24-81.)

**157.04 CLASSIFICATION OF BUILDINGS AND STRUCTURES.**

(a) Within the Design Review District, all buildings and structures shall be classified and designated on a Historic and Architecturally Significant Building Map, and shall be approved by the Redevelopment and Planning Corporation.

(b) Those buildings classified as "historic" or "architecturally significant" shall possess identified historical or architectural merit of a degree warranting their preservation. They shall be further classified as:

- (1) Exceptional
- (2) Excellent
- (3) Notable
- (4) Of value as part of an environment
- (5) Other: Those buildings and structures not considered historic or architecturally significant.

(Ord. 9063/81. Passed 6-24-81.)

### **157.05 CERTIFICATE OF APPROPRIATENESS.**

(a) Required. A certificate of appropriateness issued by the office of the Redevelopment and Planning Corporation after approval of the Design Review Board of the Corporation shall be required before a permit is issued by the City's Building Commissioner for any of the following categories within the Design Review District.

- (1) Demolition of an historic or architecturally significant building.
- (2) Moving an historic or architecturally significant building.
- (3) Material change in the exterior appearance of historic or architecturally significant buildings by additions, reconstruction, alteration or major maintenance.
- (4) Any new construction of a principal building or accessory building or structure subject to view from a public street.
- (5) Change in existing walls and fences or construction of new walls and fences, if along the public right of way, excluding alleys.
- (6) Material change in the exterior appearance of existing contemporary buildings within an approved historical preservation area by additions, reconstruction, alteration, or major maintenance, if subject to view from a public street.

(b) Application. Application for a certificate of appropriateness shall be made to the office of the Redevelopment and Planning Corporation on forms provided therefor, obtainable at such office. Information required on the application shall include street address of property involved, legal description of property involved, brief description of present improvements situated on the property, detailed description of the construction, alteration, demolition or reuse proposed, together with any architectural drawings or sketches if those services are available by the applicant and if not, photographs and a sufficient description of construction, alteration, demolition or reuse to enable anyone to determine the final appearance and use of the property and shall provide the name of owner, developer, if different from owner and name of architect.

(c) Action on Applications. The office of the Redevelopment and Planning Corporation shall transmit the application for a certificate of appropriateness together with supporting information and material to the Design Review Board of the Redevelopment and Planning Corporation for review and approval or disapproval. The Design Review Board shall act within thirty days after filing thereof, otherwise the application shall be deemed approved and a certificate of appropriateness shall be issued. Nothing herein shall prohibit an extension of time, with mutual agreement, and the Design Review Board is encouraged to advise the applicant, and make recommendations in regard to the appropriateness. If the Design Review Board approves the application a certificate of appropriateness is issued. The application shall be processed in the same manner as applications for building or demolition permits.

(d) Disapproval. In the event of disapproval of the Design Review Board, a building permit shall not be issued and the aggrieved shall have the right to appeal the decision to the Board of Trustees of the Redevelopment and Planning Corporation. The aggrieved party must request in writing a special meeting of the Board of Trustees and such a meeting shall be held within fifteen days to consider such appeal. A decision by the Board of Trustees of Redevelopment and Planning Corporation requires a two-thirds majority to override the decision of the Design Review Board. The aggrieved party may further appeal the decision of the Redevelopment and Planning Corporation to Council whose decision shall be made within thirty days after appeal in the matter and shall be final subject only to judicial review as provided by general law. (Ord. 9063/81. Passed 6-24-81.)

### **157.06 DESIGN REVIEW BOARD.**

(a) The Design Review Board shall consist of seven members of the Redevelopment and Planning Corporation. The chairman of the Design Review Board shall be the chairman of the Redevelopment and Planning Corporation. The Design Review Board shall use registered architects as advisors to the Design Review Board. Such advisors shall be used on a rotating basis in order to ensure objectivity in matters relating to project review. In addition, the First Ward Councilperson, the Building Commissioner and the City Planning Director shall serve as

ex-officio members.

(b) The Design Review Board shall adopt rules for the transaction of its business and consideration of applications not inconsistent herewith which shall provide for the time and place of regular meetings and for the calling of special meetings. All meetings of the Board shall be open to the public and public records shall be kept of the Board's resolutions, proceedings and actions.

(c) The Design Review Board shall adopt specific guidelines, as provided in Section [157.07\(f\)](#), regarding architectural standards in order to direct and assist architects, developers, contractors and owners so that these regulations are implemented in accordance with the economic and general welfare of the community.

(d) The Design Review Board, the Redevelopment and Planning Corporation, and Council in their deliberations shall be governed by the following principles:

- (1) To be consistent in their judgment with the purpose of Sections [157.03](#) to [157.07](#) and any Redevelopment and Planning Corporation-approved development plan of downtown Warren, including areas adjacent to and immediately surrounding the Design Review District.
- (2) To take into consideration and judgment all factors that have a bearing on the purpose of this chapter and any downtown development plan.
- (3) To be reasonable in judgment so as not to bring any undue hardship to any property owner. Hardship shall be limited to present use, and shall not be deemed to extend to any new use, exploitation, advantage or benefits not engaged in, or enjoyed at the time of adoption of Sections [157.03](#) to [157.07](#).
- (4) To be reasonable in judgment so that the terms of compliance with these regulations in particular would not be so excessive as to constitute taking of private property without due and unjust compensation.

(e) The office of the Redevelopment and Planning Corporation shall provide such technical, administrative and clerical assistance as required by the Design Review Board.

(Ord. 9063/81. Passed 6-24-81.)

### **157.07 DEVELOPMENT STANDARDS FOR THE PRESERVATION OF HISTORIC BUILDINGS WITHIN THE DESIGN DISTRICT BOUNDARIES.**

(a) Changes Generally. A building or structure, classified as "historic" or any part thereof, or any appurtenance related thereto, including but not limited to stone walls, fences, exterior fixtures, steps, pavings and signs shall only be moved, reconstructed, altered, or maintained in a manner that will preserve the historical and/or architectural character of the buildings, structure or appurtenance thereto.

(b) Demolition of Historic Buildings. Whenever a property owner shows that a building classified as "historic" is incapable of earning an economic return on its value, as appraised by a qualified real estate appraiser, and the Design Review Board fails to approve the issuance of a certificate of appropriateness, such building may be demolished provided that before a demolition permit is used, notice of proposed demolition shall be given as follows:

- (1) Buildings rated exceptional: six months
- (2) Buildings rated excellent: five months
- (3) Buildings rated notable: four months

Notice shall be posted on the premises of the building or structure proposed for demolition in a location clearly visible from the street. In addition, notice shall be published in a newspaper of general local circulation at least three times prior to demolition, the final notice of which shall not be less than fifteen days prior to the date of the permit, and the first notice of which shall be published no more than fifteen days after the application for a permit to demolish is filed. The purpose of this section is to further the purposes of this chapter by preserving historic

buildings which are important to the education, culture, traditions and economic values of the City, and to afford the City, interested persons, or organizations, the opportunity to acquire or to arrange for the preservation of such building. The Design Review Board may at any time during such stay approve a certificate of appropriateness in which event a permit shall be issued without further delay.

(c) Relocation of Historic Buildings. An historic building shall not be relocated on another site unless it is shown that the preservation on its existing site is not consistent with the purposes of this section, or such building will not earn an economic return for the owner of the building on such site.

(d) Protective Maintenance of Historic Buildings. Historic buildings shall be maintained to meet the requirements of the minimum Housing Code and Building Code.

(e) Contemporary Buildings. The construction of a new building or structure and the moving, reconstruction, alteration, major maintenance or repair materially affecting the external appearance of any existing contemporary building, structure, or appurtenance thereof shall be generally of such design, form, proportion, mass, configuration, building material, texture, site location as will be compatible with other buildings designated as "historic" and with adjoining areas and places to which it is visually related.

(f) Visual Compatibility Factors. Within the Design Review District, new construction and existing buildings and structures and appurtenances thereof which are moved, reconstructed, materially altered, repaired or changed shall be visually compatible with buildings, adjoining areas and places to which they are visually related generally in terms of the following factors:

- (1) Height. The height of the proposed building shall be visually compatible with adjacent buildings.
- (2) Proportion of building's front facade. The relationship of the width of the building to the height of the front elevation shall be visually compatible to buildings, adjoining areas and places to which it is visually related.
- (3) Proportion of openings within the building. The relationship of the width of the windows to the height of windows in a building shall be visually compatible with buildings, adjoining areas and places to which the building is visually related.
- (4) Rhythm of solids to voids in front facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, adjoining areas and places to which it is visually related.
- (5) Rhythm of spacing of buildings on streets. The relationship of the building to the open space between it and adjoining buildings shall be visually compatible to the adjoining area and places to which it is visually related.
- (6) Rhythm of entrance and/or porch projection. The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible to the buildings, adjoining areas and places to which it is visually related.
- (7) Relationships of materials, textures and color. The relationship of the materials, texture and color of the facade of a building shall be visually compatible with predominant materials used in the buildings to which it is visually related.
- (8) Roof shapes. The roof shape of a building shall be visually compatible with the buildings to which it is visually related.
- (9) Scales of a building. The size of 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, adjoining areas and places to which it is visually related.
- (10) Directional expression of front elevation. A building shall be visually compatible with the buildings, adjoining areas and places to which it is usually related in its directional character, horizontal character or nondirectional character.
- (11) Signs. A building's signs shall be visually compatible and related to the scale, rhythm, proportion, height, entrance and directional expression of the building, and its adjacent structures. A building's sign shall be limited to identification of the business or establishment only, and shall not be used for advertising purposes.

(Ord. 9063/81. Passed 6-24-81.)