HISTORIC ZONING COMMISSION

3/12/2020

Sevierville Civic Center 5:00 P.M.
A. Call to Order
B. New Business
   1. Adoption of By-laws
   2. Election of Officers
   3. Adoption of Downtown Commercial Historic District Design Guidelines
C. Adjournment
BY-LAWS
SEVIERVILLE HISTORIC ZONING COMMISSION
SEVIERVILLE, TENNESSEE

ARTICLE I.  THE COMMISSION

SECTION 1. Name of Commission. The name of the commission shall be Sevierville Historic Zoning Commission and is established under the authority of State law as set forth in the Tennessee Code Annotated 13-7-401 through 13-7-409.

SECTION 2. Office of Commission. The office of the Commission shall be at City Hall where the official meetings shall be held, except that such meetings may be held at such other places as may be designated.

SECTION 3. Membership. The Commission shall consist of no less than five (5) members and no more than nine (9) members. A representative of a local patriotic or historical organization; one member from the Sevierville Commons Association or its designee; and architect, if available; a member of the Sevierville Regional Planning Commission, at the time of appointment; and the remainder shall be from the community in general. The Commission shall be appointed by the Mayor, subject to confirmation by the Board of Mayor and Alderman.

SECTION 4. Membership Terms. The terms of members shall be five (5) years, except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member but not more than two (2) members shall expire each year. All members shall serve without compensation.

SECTION 5. Vacancies. Any vacancy in the citizen membership shall be filled for the unexpired term by the Mayor. The vacancy of the Alderman shall be filled by an appointment of the Board of Mayor and Aldermen.

ARTICLE II. OFFICERS

SECTION 1. Officers. The officers of the Commission shall be a Chairman, Vice-Chairman, and a Secretary.

SECTION 2. Elections. The Chairman, Vice-Chairman, and Secretary shall be elected at the annual meeting of the Commission. The Commission shall elect its Chairman from the citizen members. The terms of all commission officers shall be for one (1) year with eligibility for reelection.

SECTION 3. Chairman. The Chairman shall preside at all meetings of the Commission. Except as otherwise authorized by the commission, the Chairman shall sign all contracts, reports, and instruments made by the Commission. At each meeting the Chairman shall submit such recommendations and information as he/she may consider proper concerning the business, affairs, and policies of the Commission.
SECTION 4. Vice-Chairman. In the absence or incapacity of the Chairman, the Vice-Chairman shall perform his/her duties until such time as a new Chairman is elected.

SECTION 5. Secretary. The Secretary shall have the responsibility of seeing that a full record of all proceedings of the Commission, including a record of all votes, are kept in a journal of proceedings kept for the purpose and identified as the “Minutes of the Sevierville Historic Zoning Commission” and shall perform such other duties in regard to records, including the certification of record transcripts, as the Commission may direct.

SECTION 6. Vacancies. Should the office of the Chairman, Vice-Chairman, or Secretary become vacant, the Commission shall, at its next regular monthly meeting, elect a successor in the manner prescribed for the election of such officer and such election shall be for the unexpired term of said officer.

ARTICLE III. MEETINGS

SECTION 1. Regular Meetings. The Commission may meet on the fourth Thursday of any month when the Chairman determines is necessary or prudent to do so. The Committee shall meet, however, on the fourth Thursday of any month in which a site plan, building plan, or alteration plan within the Downtown Historic Overlay District is submitted to the Department of Development for review and action by the Historic Zoning Commission. Such meetings shall be held at 5:00 p.m. in the Civic Center or at such other place as may be designated.

SECTION 2. Special Meetings. The Chairman of the Commission may, when he/she deems it expedient and shall, upon the written request of two (2) members of the Commission, call a special meeting of the Commission for the purpose of transacting any business designated in the call. The call for such special meeting may be delivered to each Commissioner or may be mailed to each Commissioner at such address as he/she shall have previously designated. At such special meeting no business shall be considered other than is desirable in the call, but if all the members of the Commission are present at a special meeting any and all business may be transacted at such special meeting.

SECTION 3. Annual Meeting. The annual meeting of the Commission is hereby designated as the regular July meeting. It shall be the purpose of the annual meeting to elect officers, review the annual report prepared by the Development staff, to set work goals for the year ahead, and to hear mayoral appointments made for any expired terms.

SECTION 4. Quorum. A majority shall constitute a quorum for the purpose of conducting the business of the Commission, but a smaller number may adjourn from time to time until a quorum is obtained. The concurring vote of a majority of the quorum present shall be required to take final action on any matter before the Commission.

SECTION 5. Manner of Voting. The number of ayes and noes on any question coming before the commission shall be entered upon the minutes of such meeting, except that when the vote of all Commissioners present is unanimous, the record of such unanimous vote shall be sufficient.
ARTICLE IV. MEMBER ATTENDANCE

In order for the Commission to carry out its duties and responsibilities, it is necessary for all members to attend the meetings. When any member has been absent for three (3) consecutive regular meetings, the secretary shall notify such member in writing of his absences and if such member fails to attend the next regular meeting following such notification, the Commission shall take such action as it deems proper.

ARTICLE V. CERTIFIED LOCAL GOVERNMENT PROGRAM REQUIREMENTS

1. The commission shall submit an annual report to the Tennessee Historical Commission.

2. All local survey material shall be compatible with Tennessee’s survey of historic buildings and archaeological resources, and that survey material, with the exception of archaeological sites, will be accessible to the public and provided to the Tennessee Historical Commission.

3. An opportunity for public comment shall be made available on all applications for Certificates of Appropriateness and for all National Register nominations.

4. All applicants for Certificates of Appropriateness shall be notified in writing of the Historic Commission’s decision, and that copies of decisions be retained on file and made available to the public.

ARTICLE VI. AMENDMENTS

The By-laws of this Commission may be amended at a regular or special meeting, but no amendment shall be adopted unless at least four (4) days written notice thereof has been previously given to all members of the Commission.

Adopted this ______ day of ______________, 2020 by the Sevierville Historic Zoning Commission.

APPROVED:____________________________________
Sevierville Historic Zoning Commission Chairman

ATTEST:

___________________________________________
Sevierville Historic Zoning Commission Secretary
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### Board of Mayor & Aldermen
- Robbie Fox, Mayor  
- Devin Koester, Vice-Mayor  
- Wayne Helton  
- Jim McGill  
- Travis McCroskey  
- Mitch Rader  

### Planning Commission
- Lyle Overbay, Chairman  
- Jim Arwood, Vice-Chairman  
- Robbie Fox, Mayor  
- Wayne Helton, Alderman  
- Daryl Roberts  
- Vincent Snider  
- Austin Williams  

### City Administrator
- Russell G. Treadway  

### Development Director
- Dustin Smith  

### Historic Zoning Commission
- Travis Bradly  
- Justin Duncan  
- Doyle Jones  
- Joey Ohman  
- Mark Pinkham  
- Rodney Tarwater  
- Austin Williams  

Adopted March XX, 2020
The Downtown Commercial District of the City of Sevierville is centered around its role as the county seat. The original town square, long since demolished, is memorialized with markers identifying its location just north of the current commercial area. The courthouse was constructed in 1896 and the commercial activity was centered in this area until the development of the shopping center concept in the mid-1970s.

The town grew rapidly during the early 20th century due to the growth of the lodging and tourism industries. The commercial area of the community expanded to meet these needs. The majority of the buildings, constructed between 1900 and 1925, represent the most significant commercial architecture remaining in Sevier County.

Sevier County is one of the original counties formed in Tennessee in 1796. The county was named for Colonel John Sevier, a noted Revolutionary soldier and the first governor of Tennessee. The county was originally part of the lost State of Franklin and court was held in 1785 in Newell's Station, north of Sevierville. After the dissolution of Franklin in 1788, Sevier County settlers governed themselves as part of territorial government until the formation of the county in 1796. The first court for the county was held on July 4, 1796 at a small settle located at the forks of the Little Pigeon River, which became known as Sevierville.

The first commissioners acquired twenty-five acres of land from the State of Tennessee, set aside by James McMahon to build the “Courthouse, prison and stocks.” The first courthouse was a long building which was replaced around 1820. During its early years Sevierville had two major streets, Main Street and Cross Street which is today called Court Avenue. Most buildings were made of frame and log, and located at the junction of these two streets on the town square. Near the town square Nancy Academy, the first school in the county, opened in 1806.

During the last half of the 19th century, Sevierville remained a quiet settlement of less than one hundred residents and served as a trading center for the region. The County’s rugged and mountainous land contributed to its population remaining sparse during much of the early 19th century. Sevierville’s stores provided goods and supplies for settlers in the area. In 1850 Sevierville incorporated, and a new brick courthouse was built on the town square. This courthouse stood until March 1856, when a fire destroyed the building and almost all court records. Much of the town square also burned. New buildings were erected alongside a new brick courthouse on the square. Several stores and a blacksmith shop were also located on the square during these years with a grist mill located on the east fork of the Little Pigeon River.
History of the Commercial Historic District

Nominated and placed on the United States Department of Interior’s Inventory of National Historic Places in 1986, this District is a subset of the City’s locally designated Downtown Commercial Historic District. The history told below was included in the application for the district designation in 1986.

The district is centered along the courthouse square and is bounded by Court Avenue, Commerce Street and Bruce Street. The majority of the buildings in the districted were constructed between 1900 and 1936 and are one to three stories in height. All but two of the twenty-four buildings contribute to the character of the district. The district is the historic commercial center of Sevierville and all of the buildings are occupied as offices, restaurants, and retail businesses. All of the contributing commercial buildings are of brick construction and are vernacular designs of the early 20th century. Although most storefronts have been altered, the buildings retain many of the original architectural features.

The Sevierville Commercial Historic District has been the traditional center of the town’s retail trade since 1900. Prior to 1896, most businesses were located one block north along Main Street and the original town square. The town square on Main Street was the first commercial center of the community and the Sevier County Courthouse was located in the middle of the square during most of the 19th century. In 1895, a site was selected one block south of the original town square for the erection of the present Sevier County Courthouse. Businessmen in the community constructed new buildings adjacent to the courthouse along Court Avenue and Bruce Street. All of the buildings in the district were constructed after the 1896 courthouse relocation and have been continually occupied by a variety of businesses.

All contributing commercial buildings in the district are vernacular styles of the early 20th century. Historic views of the district show most original storefronts were utilitarian with decorations confined to the Luxfer glass transoms and glazed brickwork. On the upper facades, several buildings display classical decorations of the period such as pilasters, Doric and Ionic capital and cornices with modillion blocks. Windows are either rectangular or slightly arched with one-over-one sash predominating. Decoration is also found in corbelled brickwork and a few buildings along Bruce Street show the influence of the Art Deco period in zig zag brick panels. The district also includes the courthouse which is a Victorian Romanesque design with a highly detailed tower.

The district includes all of the east side of the square and sections of the south and north sides. Building construction on the court square took place primarily along the east side of the square. This was due to the constant flooding of the Little Pigeon River which inhibited development on the south and west sides of the square. An early 20th century mill was built on the south side of the square and was a landmark for many years until its destruction by fire in 1980. Very little demolition has occurred elsewhere in the district and it retains its early 20th century character.

The buildings are categorized into contributing and non-contributing structures. Contributing buildings were built in an era prior to 1936 and are significant in the historic and architectural development of the district, possess compatible design elements and maintain the scale, use and texture of the district.
In 1986, Sevierville’s downtown was nominated for the National Register of Historic Places. The district was identified as significant due to its role in local commerce, government, and architecture.

In 1986, most of the buildings on the eastern half of the block of Bruce Street between Court Avenue and Parkway were listed as non-contributing, and ultimately excluded from the district, because, at that time they were less than fifty years of age. Since that time, all of these buildings have reached the fifty-year mark and serve a significant role in local commerce and are examples of mid-20th century architecture.

Bruce Street was an extension of the commercial district after the Knoxville, Sevierville & Eastern Railroad Company laid tracks down the middle of the street in 1916. The street was originally a mixture of frame dwelling houses and commercial business buildings. By the 1950s, Bruce Street consisted entirely of commercial buildings. All existing buildings located along Bruce Street between Court Avenue and Parkway possess common threads that tie them directly to the buildings already designated as contributing to the historic district. These buildings were directly impacted by the same floods that devastated the city on numerous occasions and faced the train tracks in the years between 1916 and 1961 when the train traversed the street daily.

Furthermore, some of these buildings serve a vital role in telling the story of Sevierville’s commercial district during its most vibrant period. Completed in 1940, the Sevier County Heritage Museum was built as the Sevierville Post Office. The one-story building was constructed by J, F & N Construction Company, a noted group of African American brick masons from Sevierville. The building is identical to dozens of WPA funded post offices constructed throughout the nation.

The building at 133 Bruce Street was built by Lonas Ayers in 1969 as the National Five and Dime Store, which was among the Five and Dime stores that Dolly Parton has often mentioned in interviews where she first purchased her cosmetic items that she says, “cost a lot of money to make me look this cheap.” Other buildings with cultural connections to Dolly Parton include 139 Bruce Street that was a pharmacy for many years. During the time the pharmacy was operated by Bill Kilpatrick, the soda fountain was a hangout for high school students, and Parton has frequently spoke of her love for the slaw dogs. The concrete block building at 162 Bruce Street was the first of two locations of Red’s Café, which Parton so loved that she erected a replica at her theme park, Dollywood.

Located at 168 Bruce Street, Cash Hardware was constructed by Bon Hicks, Sr. The two-story brick building remains a business owned and operated by the Hicks family. Around the corner from Cash Hardware at 113 Parkway is Sweet Pea & Ivy’s, a vintage style home, garden and gift shop. The building was built in 1909 by P.T. Haggard, an undertaker who operated his undertaking business in a building next door that has been demolished. When Haggard relocated, the house was purchased by Roy Cox, a prominent banker who lived in there until his death in 1979. The house remains in his family.

Because the existing structures on Bruce Street between Court Avenue and Parkway as well as the dwelling house known as the Roy Cox home at 113 Parkway, are significant through their collective role in local commerce, culture, and heritage, it is fitting that they and the Commercial Historic District of the Federal Inventory of Historic Places be collectively be known as the Downtown Commercial Historic District.
Two specific districts contained are under the umbrella of the Historic Zoning Commission’s authority: The Commercial Historic District, placed on the National Register of Historic Places in 1986, and the Downtown Commercial Historic District, created by ordinance of the City of Sevierville Board of Mayor and Alderman in 2020. All of the National Register’s Commercial Historic District falls within the Local Downtown Commercial Historic District.

The Sevierville Commercial Historic District contains twenty-four structures in downtown Sevierville. The district is centered along the court square and bound by Court Avenue, Commerce Street, and Bruce Street. The majority of the buildings in the district were constructed between 1900 and 1936 and are one to three stories in height. The district is the historic commercial center of Sevierville. All of the contributing commercial buildings are of brick construction and are vernacular designs of the early 20th century. (National Register of Historic Places, Nomination Form, 1986)

The Downtown Commercial Historic District is comprised of eight additional structures, including six contributing structures. The construction period of the buildings range from 1938 through 1967. Several of these buildings were significantly altered in the 1960’s. While the reasons for the alterations are unclear, two story buildings were converted to one story. Additionally the facades took on a decidedly 1960’s style, including a minimalism design of clean lines, no ornamentation, and large glass windows. The district also includes a house converted to a commercial office use, and a former U.S. Post Office. The U.S. Post Office building had already been placed on the Historic Register as a Historic Place, while not within the National District.
The Historic Zoning Commission (HZC) is appointed for four year terms by Mayor and confirmed by the Board of Aldermen. The Commission consists of no less than five (5) members and no more than nine (9) members, with a chairman elected from its members. Membership is comprised of:

- A member from a local patriotic or historical organization
- An architect
- A member from the Planning Commission
- The remaining members shall be appointed from the community at large

The role of the Historic Zoning Commission is to review plans for changes to the exterior of buildings, including all signage and façades, that are within the Downtown Commercial Historic Overlay (DHO) as well as to revise and update the historic preservation plan; nominate properties for inclusion into the district, maintain the Historic Resources Survey, and to comment on any project that may have an impact on properties which are listed in the DHO or on the Historic Register.

The HZC will be governed by its by-laws relative to its officers, voting, order of business, and other matters. The HZC will meet at the call of the chairman based on the needs of the business at hand. All meetings are advertised in advance and open to the public for participation based on the rules outlined in the by-laws.
The Certificate of Appropriateness is required for all exterior changes to any structure within the Downtown Historic Overlay. No building permit for any construction related activity may be issued by any permit granting agency until the project has received a written Certificate of Appropriateness from the Historic Zoning Commission. In the event that a project does not require a building permit but is still making changes to the exterior of a structure, the owners are still required to obtain a written Certificate of Appropriateness. No certificate is required for interior work only.

When considering whether to grant a Certificate of Appropriateness, the Historic Zoning Commission will consider:

- Are the proposed actions in harmony with the intent of the District?
- Will the proposed alternation be esthetically consistent with other structures in the District?
- Do the changes comply with the Secretary of Interior’s Standards for Rehabilitation?
- Will the structure meet established zoning requirements?
- Does the project meet the standards set forth in this guidance document?
- In the case of removal, are there any other choices that could save the project in manner that was both consistent with the standards and economically viable?

In granting a Certificate, the Historic Zoning Commission may place conditions on the project to allow them to be comfortable that the project will conform to the intent and standards as outlined.

Any party who is aggrieved by any order of decision of the Historic Zoning Commission may have the order appealed by the court of appropriate jurisdiction.
The first four measures—protecting the exterior appearance of individual historic landmarks and sites and those within a historic district; preventing the demolition of historic properties; protecting the relationships between historic buildings; and accepting compatible new buildings and structures within a historic district—form the basis for assessing applications for a Certificate of Appropriateness (COA). The Ordinance expands on these basic tenets by providing ten standards for evaluating applications for a COA (called “Standards of Evaluation”). These standards are based on the “Secretary of the Interior’s Standards for Rehabilitation.” These are federal standards that allow for sensitive alterations while preserving the architectural character of the structure. They are accompanied by guidelines for meeting the Standards.

The Standards for Rehabilitation (codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives program) address the most prevalent treatment. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
A local or National Register historic district is made up of individual properties. The individual properties within that district are classified and listed as either contributing or non-contributing:

- A contributing classification means the property adds to the historic association and/or architectural importance for which the district is significant. It must have been present during the district’s historic period of significance and must physically retain a majority of the architectural characteristics representing that era.

- A non-contributing classification means the property is either later than the period of significance, has been altered in a major way such that the original form and/or materials and features are no longer present, or the building has deteriorated beyond reasonable repair.

Historic buildings identified as contributing properties can become non-contributing properties within historic districts if major alterations have occurred since the time of survey and inventory. In some cases, damage to the historic integrity of a structure is reversible, while other times the historic nature of a building has been so severely compromised as to be irreversible. This can occur with total reconstruction of the front porch or changing the windows sizes and locations. Restored non-contributing buildings can become reclassified as contributing if enough of the buildings features are still present, such as when artificial siding is removed to reveal original features.

Buildings may include more than one owner, more than one parcel, and have been built or constructed separately but now have adjoining interior walls. For the purpose of determining contributing status, the co-joined buildings are similar enough in age and historical significance to have the same contributing status.

CHD Contributing is defined in the National Register of Historic Places Inventory, as approved on October 23, 1986 and is available from the US Department of Interior’s database found on their website. The two structures that are on the National Historic Register as single properties are also available in detail in National Historic Website database. Only the portion of the Sevier County Courthouse which is identified by the CHD line that crosses the building is considered to be historic. For the purposes of the Downtown Commercial Historic District, the entire structure is considered to be contributing. The structures identified as Downtown Historic Overlay Contributing are recognized as consistent with the principles behind the Downtown Commercial Historic District that was adopted by the City of Sevierville Board of Mayor and Alderman on January 6, 2020. Non-contributing structures are considered to not be conforming or significant to either downtown historic district.
Elements of a Commercial Building

- Pediment
- Date/Name block
- Cornice
- Window Lintel
- Storefront Lintel
- Transom Windows
- Column
- Display window
- Recessed doors
- Bulkhead

Typical Building Details
Zoning Requirements

• When adjoining a residential zone, structures shall be compatible with the character of single-family residential structures. Compatibility shall be determined by comparing the consistency of existing and proposed design elements, colors, materials, height, bulk and landscaping.

• Building facades shall be oriented parallel to the streets they face. Main entrances shall be visible as a means of creating continuous streetscapes.

• Multiple buildings on a site should be clustered to create plaza or pedestrian mall areas. Where this cannot be achieved buildings shall be connected by means of pedestrian walkways defined by separate paving textures and accented by landscape areas.

• False or stage-set facades are prohibited. Materials and colors used on the street façade shall continue to the sides and rear of the building where visible from a street right-of-way or adjacent residence.

• The maximum, unbroken facade plane shall be 60 feet. The facade plane shall be interrupted by projections, recesses, portals, courtyards, plazas, or other appropriate architectural design. Facade plane breaks shall have a minimum depth of six inches.

• No flat-faced cement block or metal surfaces shall be visible, from a major collector or arterial street, or upon the exterior of any building as a primary surface material or mansard.

• Pitched roofs shall, as a primary roof form, have a slope not less than 5/12. Porches shall be sloped not less than 3/12.

• Parapet facades may be used when of unified construction with the primary surface of the wall and of the same material and color. The parapet shall be designed such that the reverse side of all elements shall not be visible to public view. False mansards are prohibited.

• Parapets shall extend above the highest level of any roof mounted building equipment on all sides.

• Building materials shall suit the architectural style of a building and be consistent or complementary throughout. Exterior surface materials shall be selected from among the following: brick, cementitious stucco, stone, vertical board and batten, wood or cementations siding and approved architectural concrete masonry unit. A maximum of 50% of exterior surface may be clad with Dryvit or EFIS.

• Roof design shall be appropriate to the architectural style of a building. Where exposed to public view, roof material shall be selected from enameled standing seam metal, concrete or clay tiles, copper metal, or wood textured (architectural grade), or composition asphalt shingles. The use of plastic, fiberglass, other metal, or glass visible to public view is prohibited.

• Wall surfaces shall be composed of at least 75% a single material and color. With the exception of decorator accents, colors shall be subtle, neutral, or earth tone or relate to appropriate historic building colors found within the City.

• Walls that can be seen from an arterial or major collector street shall be treated as a building façade.

(Continue next page.)
Zoning Requirements (continued)

- No less than 50% of the horizontal distance of any building front shall be designed with arcades, windows, entrances, awnings, or similar features.

- Retail facades shall be glazed with clear glass no less than 30% of the first story, or 70% in the TC District. Other uses may provide the authentic appearance of such transparency.

- Fences and walls within a development shall be of compatible design and materials.

- Fences and walls shall be constructed such that the finished part of the fence or wall is located toward and facing the exterior of the property.

- Fences or walls topped with or containing metal spikes, broken glass, razor wire or similar material are prohibited.

- Uncoated chain link and other wire material fences shall not be permitted in a front setback, except in the case of athletic or play surfaces.

- The maximum height of fences and walls shall be four feet above grade when located in a front yard. Otherwise the maximum height of a fence is eight feet.

- Landscape areas shall incorporate existing natural vegetation to the extent feasible. If the natural vegetation is inadequate to meet the required landscaping standards, additional plant material shall be required.

- Existing native habitat or vegetation located within planting areas that are preserved and meeting the requirements of this section may be counted toward the requirements of this Section.

- Credit may also be granted for existing plant material, fences and walls on abutting property that meet the landscape requirements.

- A perimeter landscaped edge shall be provided along all yards that are adjacent to all streets and entrances. The landscaped edge shall be a minimum width of 5 feet, exclusive of street right-of-way. In addition, for each non-residential parcel that is adjacent to a residential parcel the minimum width shall be 10 feet.

- Within the landscaped edge, one tree (3” caliper minimum) shall be planted per 30 lineal feet of landscaped edge. The number of required trees shall be calculated solely on the linear frontage of the required landscaped edge and shall be rounded to the nearest whole number. Trees may be grouped together or evenly spaced.
These Guidelines pertain to any exterior alteration of an existing building or property in the Downtown Historic Overlay District.

Alterations include:

- A change in building material;
- The addition or elimination of any architectural feature of a structure;
- A repair that reconstructs any part of an existing building;
- An addition that extends or increases floor area or height of any building;
- Construction of an appurtenance.

A number of the buildings in the District once residential structures were later converted to nonresidential uses. In these instances, the residential style and elements should be maintained in order to preserve the structure’s history. While building codes require certain improvements, the residential style can still be preserved without harm to the structure’s historical integrity. Additional information on site improvements associated with such conversion can be found in the section on new construction.

Additions
Additions are areas that increase the living or working space of a structure, but this does not include the addition of architectural elements. Generally, an addition should be situated at the rear of the building in such a way that does not disturb either front or side public facades. Additions should follow the guidelines for new construction.

Porches
Original details and shape (outline, roof height and roof pitch) should be retained. Original porch materials and architectural details should be maintained. If different materials are substituted, they should be appropriate to the architectural style and period of the structure. Enclosing front porches is inappropriate. Enclosing of side porches may be deemed appropriate if the visual openness and character of the original porch is maintained.

Roofs
Original roof pitch and configuration should be maintained, as should the original size and shape of dormers. Where none existed originally, dormers generally should not be introduced. Original roof materials and color should be retained. If replacement is necessary, original materials should be used. However, asphalt shingles may be substituted for original roofing when it is not economically feasible to replace or repair with original materials, or when the original roof is beyond repair. The color and texture of asphalt shingles should be appropriate to the architectural style and period of the structure. New elements such as vents, skylights or additional stories that would be visible on the building’s primary elevation should not be added.

(Continue next page.)
Guidelines for Alterations (continued)

Doors
The original size and shape of door openings should be maintained. Original transoms, side lights, and doors should be maintained. Replacement doors should be compatible with the original door in terms of style and material. Flush doors are generally appropriate. Generally, new door openings should not be introduced on facades visible from the street. Original door openings should not be filled in.

Architectural Details
Original details, including hardware, should not be removed. The replacement of irreparable details should be with close visual approximations of the originals. The replacement of missing original details should be based on accurate duplication, or should be close visual approximations of the originals, based on historic, physical or pictorial documentation. Architectural details of any period or style not original to the building shall not be introduced. Changes that have taken place in the course of time which are evidence of the history and development of a building and its environment may have acquired significance in their own right; their significance should be recognized and respected.

Windows
The original size and shape of windows should be maintained. The original number and arrangement of panes should be maintained. The characteristic window shape in the area is vertically rectangular higher than it is wide. Horizontal windows and picture windows are generally not appropriate. Do not use inappropriate materials or finishes that change the sash, depth of reveal, or appearance of the frame. New window openings should not be introduced unless they match the existing window configuration and their placement harmonizes with the existing rhythm of openings. Original windows should not be filled in. Where windows have been painted, it should be removed.

Materials
Original building materials include wood, brick, stone, terra cotta, and stucco. Original roof materials include slate, metal and, on twentieth century buildings, asphalt shingles.

Masonry
Masonry repainting should be done with care to match the original mortar color. The use of Portland cement should be avoided when repainting old brick. Original tooling configuration and joint width should be maintained. Cleaning should be done with the gentlest means possible. Sandblasting, open flames, or high pressure water should not be used, as those cause severe damage to brick and mortar. The painting of brick is inappropriate unless the existing paint is mismatched or so deteriorated that it cannot withstand weather. If painting is necessary, original natural color should be used. Painting of stone is inappropriate. Covering brick and stone with siding is inappropriate. Where this has been done, it should be removed to reveal the brick/stone.

Wood
Wood siding should be retained, if possible. Original siding should not be covered or replaced with a material or texture not original and not aesthetically compatible. Replacement wood siding should be consistent with the original in size, direction and lap dimension. Original wall shingles should be maintained. Hardi-plank is an appropriate substitute if wood siding is not attainable.

Paint and Color
Colors that are consistent with the era when the Downtown Historic District was established, or when a building was built should be maintained. If possible, a property owner should determine the original color of the structure and make every attempt to preserve that color.

Appurtenances
Appurtenances related to a building (including fences, walls, street lamps, steps, paving, and sidewalks) should be visibly compatible with the environment to which they are related.
Guidelines for New Construction

The construction of any freestanding structure on any lot or building addition to an existing structure is considered new construction. These guidelines shall apply only to the exteriors of buildings.

Since construction in a historic district has usually taken place continuously from the late nineteenth and early twentieth centuries, a variety of building types and styles result which demonstrate the changes in building tastes and technology over the years. New buildings should continue this tradition while complementing and being compatible with other buildings in the area.

Reconstruction may be appropriate when it reproduces facades of a building contributing to the historical and architectural character of the area; compatible in terms of style, height, scale, massing, and material with the buildings immediately surrounding the lot on which the reproduction will be built; and if it is accurately based on pictorial documentation.

Because new buildings usually relate to an established pattern and rhythm of existing buildings, on the same and opposite sides of a street, the dominance of that pattern and rhythm must be respected and not disrupted. New construction should be consistent with existing buildings along a street in terms of height, scale, setback, and rhythm; relationship of materials, textures, details, color, roof shape, orientation and proportion, and rhythm of openings.

**Building Height and Width**

New buildings shall be constructed to a compatible number of stories and height of adjacent buildings. Most buildings in the District are one-story. A building’s width should also consider that of neighboring buildings and not look out of place.

**Scale**

Scale can be defined as the relationship of the size of a building to neighboring buildings and of a building to its site. Height and width contribute to scale, as do design features of a building. Scale can be human scale or monumental scale (such as for churches or institutional buildings). In order to achieve appropriate scale, features should be provided on new construction that reinforce scale and character of the surrounding area, whether human or monumental, by including elements such as storefronts, vertical and horizontal divisions, upper story windows, and decorative features.

**Materials, Texture, Details and Color**

The relationship and use of materials, texture, details and material color of a new building’s public facades shall be visually compatible with, and similar to those of adjacent buildings, or shall not contrast conspicuously. Brick and wood siding are the most commonly used materials in the District, and should be continued. Synthetic sidings, such as vinyl, aluminum and synthetic stucco products (such as EIFS), are not historic materials and are not to be used.

**Roof Shape**

The roofs of new buildings shall be visually compatible, by not contrasting greatly with the roof shape and orientation of surrounding buildings.

**Building Orientation**

The site orientation of new buildings shall be consistent with that of adjacent buildings and shall be visually compatible. Directional expression shall be compatible with the surrounding building, whether that expression is vertical, horizontal, or non-directional. The most appropriate orientation is to the public street. These buildings respect the height and setbacks of neighboring buildings. While the center building is taller, it does not over power the other buildings.
Setbacks and Rhythm of Spacing

Setback is the distance between the building and the property line, whereas spacing refers to the distances between buildings. Both the setback from the front and side yard property lines and spacing established by adjacent buildings should be maintained. When a definite rhythm along a street is established by uniform lot and building width, infill new buildings should maintain the rhythm. If setback and yard requirements for a building or property are different from the current requirements of the Sevierville Zoning Ordinance, then approval for a variance must be obtained from the Sevierville Board of Zoning Appeals.

Proportion and Rhythm of Openings

The rhythm, patterns, and ratio of solids (walls) and voids (windows and doors) of new buildings should relate to and be compatible with adjacent facades and typical historic architecture of the District. Most buildings should have a higher proportion of openings to wall area. The size and proportion, or the ratio of width to height of window openings of new buildings’ primary facades, should be similar and compatible with those on facades on other historic buildings. Traditionally designed openings generally have a recessed jamb on masonry buildings and have a surface mounted frame on frame buildings. New construction should follow these methods in the District rather than designing openings that are flush with the rest of the wall, which is typically seen in newer developments.

Lighting

Lighting fixtures should be selected to enhance the historic aesthetics of the District. Bright lighting is not appropriate, and fixtures that are not consistent in scale with a site or building are not to be used. For lighting submittal requirements, refer to the Design Guidelines
Many of Sevierville’s historic buildings have outstanding existing details that only need maintenance. Providing proper maintenance to these features can prevent future damage and ensure the long life of these features.

**Recommended:**
- Cleaning masonry should only be done to halt deterioration or remove heavy soiling. Masonry surface cleaning tests should be done before any cleaning is done to determine the gentlest method possible.
- Any cleaning of masonry should be done with the gentlest techniques as possible, such as low pressure water and detergents, using natural bristle brushes.
- Removing damaged or deteriorated paint to the next sound layer and doing this through the gentlest means possible, typically hand scraping.
- Masonry mortar joints should be repaired when there is evidence of disintegrating mortar, cracks in joints, loose bricks, damp walls, or damaged plasterwork.
- Deteriorated mortar should be removed by hand raking, thus avoiding damage to the masonry.
- New mortar should match the old mortar in strength, composition, color, texture, and joint width and profile.
- Repaired masonry should be as inconspicuous and compatible as possible.
- Ensure proper drainage so that water does not stand on flat, horizontal surfaces or accumulate in curved decorative features.

**Not Recommended:**
- Sandblasting brick or stone surfaces using dry or wet grit or other abrasives.
- Using water or liquid chemical solutions for cleaning when there is a possibility of freezing temperatures.
- Cleaning or leaving chemicals on masonry surfaces that will damage the masonry.
- High pressure water cleaning.
- Removing paint that firmly adhered to masonry. (Effects of sandblasting—Inappropriate painting)
- Not taking adequate measures to protect masonry and wood features.
- Removing non-deteriorated mortar and replacing with all new to obtain a uniform look.
- Repainting with synthetic caulking compound.
- Making repairs or replacements without addressing the cause of any damage or deterioration.
- Using high strength Portland cement for mortar. This material is not compatible with most historic brick and can cause additional damage to the masonry.
- Using waterproof, water repellent, or applying stucco to masonry rather than repainting or doing other repairs.
- Covering masonry material and previous installations should be removed and repairs completed.
After several conversations spanning nearly a generation, the City of Sevierville committed in 2019, to spending $7 million to reconstruct the streetscape in Downtown Sevierville. Having chosen the period of the 1920’s and 30’s, designers anticipate the lighting fixtures, street furnishings, and general feel of the downtown will bring back the ambiance of the downtown in its historically common period.

From the early 1900’s until the early 1970’s, Downtown Sevierville served as the commercial hub of the entire county and regions beyond. With a vibrant industrial and tourism market, as well as the Courthouse, many commercial establishments to thrived.

While the 1920’s and 30’s were vibrant, so were the 1960’s. Sevierville’s most famous daughter, Dolly Parton, spent many hours participating in downtown life — theaters, cafes, and stores which all provided the goods and entertainment that teenagers of that age desired.

Downtown’s pedestrian friendly and social orientation proved to be the most important component of the area. Folks from around the county met in downtown Sevierville on a Friday night to catch up with friends, and the latest community news. Whether farmers and loggers in the 1920’s, teenagers in the 1960’s, or tourism today, the pedestrian orientation remains the single most important asset of downtown.

The City has commitment to enhance that asset through their investment and the active participation of the Sevierville Commons organization. SCA is a downtown property and merchants association, offering vocal and financial support of the redevelopment of downtown. These combined advocates encourage the reinvigoration of the pedestrian oriented and vibrant atmosphere of the area. Maintaining that pedestrian friendly and socially interactive environment is a key design element to all of the contributing structures of downtown. Any desired design changes should be reviewed through the lens of these concepts.
When building owners decide to work on their historic commercial building several challenging questions face them.

- If the façade is fairly intact but deteriorated, which repairs should be completed first?
- If significant alternations have been made, should they be kept or should the building be restored to its original appearance?
- If the building is no longer in commercial use, can the commercial appearance of the building be retained while accommodating the new use?
- What is an appropriate and acceptable budget for the building owner?

**Building Assessment**

Before beginning a project, an assessment, or “physical exam”, of the building should be completed. The 2008 Facade Conditions Survey provides a cursory evaluation of existing street side facades. This document is a good starting point for any new project. A more detailed exam of an individual building should provide a historical summary of the building and lay the ground work for the project approach. In addition to providing base information on the historical context of the building, the report should:

- **Evaluate Existing Conditions.** The report should inventory the existing condition of the building and relate it back to treatment types. Most importantly it should answer the questions “what needs attention and why”.
- **Work Description.** A description of work needed to stabilize the building, meet specific treatment types, and most what will be needed to accomplish the owner’s goals is needed.
- **Prioritizing Projects.** Often a building has more projects than an owner can finance. Understanding the priority of projects can put the investment to best use. Critical projects should be done first with more cosmetic projects waiting until later.
- **Set a Budget.** Once the building owner decides what projects take priority, a budget should be established. The building assessment and budget could drive the treatment type selected by the owner. Choosing treatment type is crucial and should be considered throughout the assessment and budgeting process.
- **Apply the Design Guidelines.** The design guidelines outlined in this document serve to assist building owners proposing projects to the Sevierville Historic Zoning Commission. In addition, the Board can provide important guidance to projects that do not require a Certificate of Approval. By applying the guidelines in this document, the Commission and City strive to promote and preserve the historic character of Downtown Sevierville.
2.7.3 Overlay Districts

2.7.3.1 Flood Overlay District (FLO.) The Flood Overlay District identifies land within the City that lies wholly or partly within the 100-year floodplain or floodway. The zoning map indicates the approximate location of these floodplains. The official National Flood Insurance Program (NFIP) flood maps should be consulted for final determination of the boundary of this overlay district.

a. **Uses.** Allowable uses in this overlay district shall be those allowed in the underlying base zoning district.

b. **Development within the FLO District.** Any development within this District shall be accomplished in accordance with the provisions of the Sevierville Municipal Flood Damage Prevention Ordinance, and with the following provisions:

   i. All development within the FLO District shall be constructed so that the finished floor elevation is one (1) foot above the one hundred (100) year flood elevation.

   ii. Except as provided for in iii. below, no building or structure shall be located within ten (10) feet of an established floodway lying within the FLO, as shown on NFIP maps.

   iii. The Planning Commission may allow construction in the designated floodway provided a detailed engineering study is submitted that verifies a "no impact" condition is maintained. The study shall make use of the HEC-RAS computer model or a subsequent FEMA approved model.

   iv. On any stream without an established floodway, no building or structure shall be permitted within ten (10) feet of the top of the bank of the stream.

2.7.3.2 Interstate Impact Overlay District (IIO). The provisions of this District are designed to recognize the unique circumstances created at the points at which local, state, and federal streets and highways intersect with the federal Interstate system of highways. The intent of this district is to provide for the placement of on-premises business signs, appropriate in size and scale to their setting, for the purpose of attracting high speed Interstate travelers to exit the Interstate.

a. **Uses.** Allowable uses in this overlay district shall be those allowed in the underlying base zoning district.

b. Interstate monopole signs may be placed within the IIO District, but only in accordance with all applicable provisions of Chapter 6.0, Signs, and Chapters 3.0 and 4.0, where applicable.

2.7.3.3 Downtown Commercial Historic Overlay District (DHO). The Downtown Commercial Historic District identifies properties within the original historic boundaries of the original development of the commercial area of Downtown Sevierville. The intent of this overlay is to preserve and protect the pedestrian connectivity, the historic architecture, and the historical center of Sevier County.

The overlay zone, as adopted by the Board of Mayor and Alderman, and as may be amended from time to time, shall be regulated in accordance with the Historic Zoning Commission requirements as set forth in T.C.A. § 13-7-401 - 13-7-409 and Section 8.3 of this ordinance.

a. **Uses:** The allowable uses shall be those allowed in the underlying base zoning district.

b. **Additional Requirements:** A certificate of appropriateness, as defined in Section 8.4 hereof, must be issued by the Historic Zoning Commission, in accordance with its procedures as set forth in Subsection 8.4.4 hereof, prior to any site development, alteration, demolition or the issuance of a building permit in the DHO District.
8.3 Historic Zoning Commission (HZC)

8.3.1 Establishment There is hereby established the Historic Zoning Commission (HZC) pursuant to Sections 13-7-401 through 13-7-409 of the Tennessee Code, Annotated.

8.3.2 Powers and Duties The HZC shall have the following powers and duties:

8.3.3 Site Plan Review For structures and properties subject to Site Plan review and that are located within the Downtown Commercial Historic Overlay District (DHO), the HZC shall review and make decisions on Certificates of Appropriateness as part of the Site Plan review procedure pursuant to Section 8.5, Site Plan Review, and Section 8.4, Certificate of Appropriateness in a DHO District.

8.3.4 Certificates of Appropriateness in the DHO District To review and make decisions on applications for Certificates of Appropriateness pursuant to Section 8.4, Certificates of Appropriateness in a DHO District.

8.3.5 Powers Related to the DHO Overlay District Pursuant to the powers granted by the Tennessee Code Annotated, and consistent with the Historic District Design Guidelines, the HZC shall consider the following in determining whether to issue a Certificates of Appropriateness:

a. Appropriateness of the exterior architectural features, including signs and other exterior fixtures, of new buildings and structures to be constructed.

b. Appropriateness of exterior design or extension of an existing building or structure.

c. Appropriateness of setbacks, front, side, or rear yards, off-street parking spaces, location of sidewalks along the public right-of-way that might affect the character of a building or structure. The general compatibility of exterior design, arrangement, texture, and material of the building or structure in relation to similar features of buildings in the immediate surroundings. However, the HZC shall not consider interior arrangement or design, nor shall it make any requirements except for the purpose of preventing extensions incongruous to the historic aspects of the surroundings.

8.3.6 Additional Powers The following shall also be the duty of the HZC:

a. To regularly revise and update the historic preservation plan.

b. To comment on projects that may have a potential adverse impact on properties that are listed in the National Register of Historic Places.

c. To nominate properties for inclusion in the Downtown Commercial Historic District.

d. To maintain and update the Historic Resources Survey.

e. To develop the Historic District Design Guidelines.

8.3.7 Membership As provided by state law, the HZC shall consist of no less than five (5) and no more than nine (9) members, including a representative of a local patriotic or historical organization; an architect, if available; a person who is a member of the local planning commission at the time of such person’s appointment; and the remainder shall be from the community in general. The historic zoning commission shall be appointed by the Mayor, subject to confirmation by the Board of Mayor and Aldermen. The terms of members shall be five (5) years, except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member but not more than two (2) members shall expire each year. All members shall serve without compensation.

8.3.8 Bylaws The HZC shall, by a majority vote of its entire membership, adopt bylaws governing its procedures on such matters as officers, agendas, voting, order of business, and related matters as it may consider necessary or advisable, provided such bylaws are consistent with the provisions of this ordinance.
8.4 Certificate of Appropriateness in a DHO District

8.4.1 Purpose and Scope. The purpose of this subsection is to provide for the review by the HZC of development, construction, alteration, or demolition of structures within the DHO District pursuant to this Subsection and Subsection 2.7.3.3, Downtown Commercial Historic Overlay District (DHO).

8.4.2 Applicability.

a. Unless otherwise exempted in Subsection 8.4.3 below, no Building Permit for construction, alteration or rehabilitation, moving, or demolition shall be issued by the Development Department within the DHO District until the project has been submitted to, and received a written Certificate of Appropriateness from, the HZC.

b. In instances where a Certificate of Appropriateness is required for exterior work that does not require a Building Permit (e.g., replacement of windows or the installation of fences), no work shall occur until the project has been submitted to, and received a written Certificate of Appropriateness from, the HZC.

8.4.3 Exemption Building Permits for work (electrical, interior structural, etc.) on the interior of the structure shall be exempt from the provisions of this subsection provided that the work for which the Building Permit is requested will not alter the external appearance or the gross floor area of the structure.

8.4.4 Initiation An application for a Certificate of Appropriateness shall be initiated by the property owner or other person having authority to file an application on the owner’s behalf.

a. Step 1 - Application for a Certificate of Appropriateness in the DHO District An application for a Certificate of Appropriateness shall be made in accordance with application requirements established by the Development Department for properties subject to Site Plan review. The application for a Certificate of Appropriateness shall be made prior to review of the Site Plan pursuant to Section 8.5, Site Plan Review. All other applications may be made with the application for a Building Permit. A Zoning Compliance Certificate may not be issued until a Certificate of Appropriateness has either been issued or deemed not to be applicable.

b. Step 2 - HZC Review and Decision on the Certificate of Appropriateness Upon receiving an application for a Certificate of Appropriateness, the HZC shall, within 30 days following the submission of all information deemed necessary by HZC staff, meet and consider the request and either issue a Certificate of Appropriateness; issue a Certificate of Appropriateness with conditions; or decline to issue a Certificate of Appropriateness, stating grounds for disapproval in writing. The HZC shall report its decision to the Development Department. If no action is taken by the HZC within the 30 day period, the application shall be deemed denied. The 30 day period time period may be extended with the agreement of the applicant. If the Certificate of Appropriateness is issued, then the Building Permit application or Site Plan review shall be processed in accordance with this ordinance or in the same manner as that of any other application. If the HZC disapproves the Certificate of Appropriateness, the applicant shall be notified of the disapproval in writing by the Development Department.

c. Step 3 - Final Building Permit Review The Development Department shall review applications for Building Permits that have received written approval from the HZC in the form of a Certificate of Appropriateness, in the same manner as applications made outside of the DHO District, and final issuance or rejection shall be based upon adopted building codes.

8.4.5 Approval Criteria The HZC shall consider the following in evaluating an application for a Certificate of Appropriateness:

a. Whether the proposed action is in harmony with the objectives and purpose of the DHO District;

b. Whether the result of the proposed action would be esthetically consistent and harmonious other structures within the DHO District;
c. In the case of alterations to existing structures, whether the proposed action complies with the “Standards for Rehabilitation” and the applicable guidelines for exterior features promulgated by the Secretary of the Interior in the publication, “Standards for Rehabilitation”, (Jan. 1980 or latest revision);

d. In the case of new construction, whether the proposed action complies with the “Standards for Rehabilitation” and the applicable guidelines for new construction promulgated by the Secretary of the Interior in the publication, “Standards for Rehabilitation”, (Jan. 1980 or latest revision);

e. In the case of alterations of existing structures and new construction, whether the proposed action complies with the Historic District Design Guidelines;

f. In the case of removal or demolition, whether the structure could not be rehabilitated and used in a manner conforming to the Historic District Guidelines and the City Zoning Ordinance, with reasonable efforts;

g. In the case of removal or demolition, whether the structure is without substantial historic or architectural significance;

h. A Certificate of Appropriateness shall be granted: In the case of alterations to existing structures if the HZC answers (a), (b), (c), and (e) affirmatively; In the case of new construction, if the HZC answers (a), (b), (d), and (e) affirmatively; and In the case of removal or demolition, if the HZC answers (a), (b) and either (f) or (g) affirmatively. If the HZC does not answer the required questions affirmatively, then it shall either deny the Certificate of Appropriateness or grant it subject to the conditions as may be required in order to permit an affirmative answer to the required questions.

8.4.6 **Appeals** The HZC shall have jurisdiction relating to historic zoning matters. Anyone who may be aggrieved by the final order or judgment of the HZC may have the order or judgment reviewed by the courts by the procedures set forth in Section 27-8-101 et seq. of the Tennessee Code Annotated.

8.4.7 **Injunctive Powers and Penalties** Where it appears that the owner or person in charge of an improvement on a landmark site or preservation site threatens to start, or has started, work in violation of this ordinance, then the City Attorney may apply to a court of competent jurisdiction for an injunction against a violation of this ordinance and for such other civil remedies as may be appropriate.