



Land Use Management Ordinance Text Amendment
**Historic District Review Criteria & Historic
District Commission**
March 24, 2021

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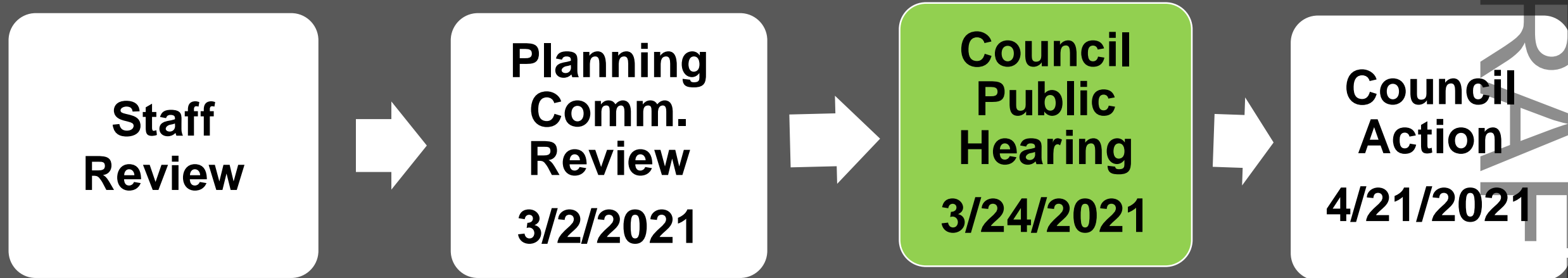
RECOMMENDATION

Staff recommends:

- Open the Public Hearing;
- Receive comments
- Return for action at the April 21, 2021 Council meeting



Text Amendment Process



Text Amendment Background

- Legislative updates in Chapter 160D of NC General Statutes
- A through J review criteria predate the adoption of the 2001 Design Guidelines
- In 2019, Planning Department recommended amending the LUMO following adoption of the Design Principles & Standards
- HDC adopted the Design Principles & Standards on March 18, 2021

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What's in your packet?

- Staff Report
- Resolution A, Resolution of Consistency
- Ordinance A
- Resolution B, denying the amendment
- Historic District Commission Recommendation
- Planning Commission Recommendation

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HDC Review Criteria Text Amendment

- Remove A through J review criteria and rely on the Design Principles & Standards
- Amend the language to more closely reflect the State Historic Preservation Office's Model Preservation Ordinance
- Replace “Design Guidelines” with “Design Principles & Standards” reflecting legislative updates

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Proposed Changes to Section 3.6.2

Staff's Text Amendment Summary shows the edits made to the specific definitions.

3.6.2 Historic Districts.

(b) Certificate of appropriateness required

(4) A certificate of appropriateness application and amendments to a certificate of appropriateness application may be reviewed and approved by the town manager according to specific review criteria contained in state law and ~~guidelines~~ Design Principles and Standards approved by the commission when the application is determined to involve minor work. Minor works are defined as those exterior changes that do not involve any substantial alterations, and do not involve additions or removals that could impair the integrity of the property and/or the district as a whole. Such minor works shall be limited to those listed in the Commission's ~~Rules of Procedure~~ Design Principles and Standards, or a successor document. No application involving a minor work may be denied without the formal action of the commission. Ordinance requirements for notification of affected property owners must be met for all applications

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Proposed Changes to Section 3.6.2

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3.6.2 Historic Districts.

(e) Review criteria.

(1) When considering the application, the Commission shall apply the Design Principles and Standards and shall, in approving, approving with conditions, disapproving, or deferring an application, make findings of fact, indicating the extent to which the application is or is not in compliance with the Design Principles and Standards, and shall cause these findings of facts to be entered into the minutes of its meetings. The minutes shall also contain a summary of any citation to evidence, testimony, studies, or other authority upon which the Commission based its decision.

(3) The review shall not consider plantings and other vegetation.

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Proposed Changes to Section 8.4

Staff's Text Amendment Summary shows the edits made to the specific definitions.

8.4.6. Powers of the Commission.

The commission is authorized and empowered to undertake actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this appendix and in Chapter ~~160A~~160D, Article 19, Part 3C of the N.C. General Statutes, including but not limited to the following:

- (g) To establish ~~guidelines~~ principles and standards under which the town manager shall approve applications for certificates of appropriateness covering minor modifications on behalf of the commission;

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