

8.4. - Historic District Commission.

8.4.1. Establishment of the Commission.

A historic district commission, consisting of nine (9) members appointed by the council, is hereby established.

8.4.2 Qualifications.

All members of the commission shall reside within the planning jurisdiction of Chapel Hill, and a majority of the members shall have demonstrated special interest, experience, or education in history, architecture, historic preservation, archaeology, or related fields. Members shall serve without compensation.

8.4.3. Tenure.

Members of the commission shall be appointed in accordance with the council's advisory board membership policy.

8.4.4. Officers.

Officers and terms of officers shall be in accordance with the council's advisory board membership policy. The commission shall create and fill such committees as it may deem necessary.

8.4.5. General Responsibilities of the Commission.

The commission shall seek to promote, enhance, and preserve the character of the Chapel Hill Historic District, provided the commission shall not require the reconstruction or restoration of individual or original buildings, structures, or portions thereof. In considering new construction, the commission shall encourage design which is harmonious with the character of the historic district, but shall not discourage either contemporary or traditional design.

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 160D, Article 9, Part 4 of the N.C. General Statutes, including but not limited to the following:

- (a) To recommend to the planning commission and council areas for designation by ordinance as historic districts;
- (b) To recommend to the planning commission and council that designation of any areas as a historic district be revoked or removed;
- (c) To recommend to the planning commission, council, and the State of North Carolina structures, sites, objects, or districts worthy of local, state, or national historical recognition;
- (d)

To propose to the council amendments to this chapter or to any other ordinance relating to the historic district, and to propose new ordinances or laws relating to the historic district or to a program for the development of the historical resources of the Chapel Hill community;

- (e) To request the council to hold public hearings on matters within the purview of the commission;
- (f) To hear and decide applications for certificates of appropriateness in accord with article 3 of this appendix; (Ord. No. 2004-02-23/O-2)
- (g) To establish principles and standards under which the town manager shall approve applications for certificates of appropriateness covering minor modifications on behalf of the commission;
- (h) To undertake, on its own or in collaboration with any other commission, board, agency, society, or organization, any programs of information, research, or analysis relating to any matters under its purview;
- (i) To cooperate with other commissions, boards, or agencies of the town or other governmental unit in offering or requesting assistance, guidance, or advice concerning matters under the commission's purview or of mutual interest;
- (j) To participate in negotiations with owners and other parties in an effort to find means of preserving historic buildings scheduled for demolition;
- (k) To provide advice to owners of property located within the historic district concerning the treatment of the historical and visual characteristics of their properties, such as color schemes, gardens and landscape features, and minor decorative elements;
- (l) To publish information or otherwise inform owners of property located within the historic district about any matters pertinent to the commission's duties, organization, procedures, responsibilities, functions, or requirements;
- (m) To contract, in accord with established town policies and procedures, for services or funds from agencies or departments of the State of North Carolina and the United States government;
- (n) To accept funds granted to the commission from private or non-profit organizations;
- (o) To organize itself and conduct its business by whatever legal means it deems proper;
- (p) To report violations of this appendix or related ordinances to the local official responsible for the enforcement thereof;
- (q) To exercise, within the historic district, all the powers and duties of the Chapel Hill Community Design Commission;
- (r) To exercise such other powers and to perform such other duties as are authorized or required elsewhere by this appendix, the N.C. General Statutes, or by the council.

8.4.7. Meetings.

The commission shall establish a regular meeting schedule, and shall meet at least quarterly and more often as it shall determine and require.

All meetings of the commission shall be open to the public, and reasonable notice of the time and place thereof shall be given to the public, in accord with Chapter 143, Article 33C of the N.C. General Statutes.

The commission shall adopt rules of procedure and regulations for the conduct of its affairs.

The commission shall keep a record of its meetings, including attendance of its members, and its resolutions, findings, recommendations, and actions.

8.4.8. Attendance at Meetings.

Attendance at meetings shall be in accordance with the council's advisory board membership policy.

8.4.9. Quorum and Voting.

A quorum of the commission, necessary to take any official action, shall consist of six (6) members. The concurring vote of a majority of the membership of the commission shall be necessary to take any official action to approve or deny an application or permit. Vacant positions on the board and members who are disqualified from voting shall not be considered members of the board for the calculation of the requisite majority.

The concurring majority vote of the quorum shall be necessary to conduct other business, including making a recommendation on an application to be considered by the council.

8.4.10. Historical and Architectural Significance Inventories.

The commission shall prepare, maintain, consults, and make available to the public inventories, including photographs and assessments, showing the historic and architectural significance of buildings, structures, sites, areas, objects, and cultural landscapes within the historic districts. Such inventories of historic resources shall be used as a guide for the designation of historic districts. The commission shall take steps as necessary to ensure that the inventory reflects information current to within twenty (20) years.

A structure is deemed to have historic and/or architectural significance if it possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and if it:

- (a) Is associated with events that have made a significant contribution to the broad patterns of local, state, or national history; or
- (b) Is associated with the lives of persons significant in the past; or
- (c) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

(d) Has yielded, or may be likely to yield, information important in prehistory or local, State, and national history.

(Ord. No. 2014-03-10/O-2, § 3; Ord. No. 2018-06-27/O-4, § 2; Ord. no. 2018-12-05/O-3, §§ 3—5; Ord. No. 2019-11-20/O-3, §§ 6, 7; Ord. No. 2020-01-08/O-2, § 2; Ord. No. 2021-04-21/O-3, § 3; Ord. No. 2021-05-19/O-1, § 108)