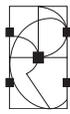




Section 1 **Introduction**



1.1 Raleigh Historic Districts and Historic Landmarks

Raleigh Historic Districts and Landmarks are an invaluable legacy, linking present and future generations with their heritage. Historic districts are places of singular historical flavor characterized by their streets and squares, buildings and trees, architectural design and landscape features. Landmarks are distinctive individual properties singled out and recognized for their historic and architectural significance. Both districts and landmarks may be monumental or simple, residential or commercial in character. They provide diversity vital to the city's future quality of life and demonstrate successful sustainable development and land use.

Development that enhances the character of Raleigh Historic Districts or Landmarks is encouraged. The Code of Ordinances, under which the districts are legally established as an overlay zoning district (§10-2052), recognizes that change is an important element in the city's evolution, indicating healthy, vital neighborhoods and reflecting the pride of residents in their community. Historic district overlay zoning identifies a historic area and provides the mechanism of a design review process for exterior changes; however, it does not affect the *uses* of properties as permitted by the existing zoning. Similarly, the Code (§10-1053) under which local landmarks are designated provides for design review of proposed exterior and, in a few rare cases, interior changes to the landmark property.

Raleigh Historic Districts are established by the City Council after action has been proposed by a neighborhood organization, a preservation group, or the city, and after careful research and evaluation. Also, the North Carolina State Historic Preservation Office (SHPO) is required by law the opportunity to review local historic districts and landmarks prior to City Council's review. As of 2011, five areas have been designated as Raleigh Historic Districts: Blount Street, Boylan Heights, Capitol Square, Moore Square, and Oakwood. These districts represent residential neighborhoods, downtown commercial properties, and institutional districts.

Historic district designation is designed to protect and enhance the existing character of a community. Through historic district overlay zoning, a neighborhood is protected from unmanaged change by a review process based on established design guidelines. Additionally, rehabilitation of a qualified historic property may be eligible for significant tax benefits. Federal law and state statutes provide for sizable income tax credits to certified rehabilitation projects. To obtain more specific details on these tax credits, contact the NC State Historic Preservation Office. There are also federal tax advantages in the form of charitable contribution deductions for owners who donate a historic preservation easement to a charitable organization.

Nominations for Raleigh Historic Landmarks may be generated by property owners, residents interested in preservation, or the city itself and are reviewed by the Raleigh Historic Districts Commission and SHPO for historical, prehistorical, architectural, archaeological, and/or cultural significance prior to presentation to the City Council for potential designation. From mid-century modern houses to the State Capitol Building, more than 145 properties are designated as Raleigh Historic Landmarks. See the RHDC website for a list of local landmarks.

It is likely that more Raleigh neighborhoods will seek designation as local historic districts and individual properties will continue to be nominated for local landmark status. Public comment is an important part of that designation process. By law, property owners in a proposed historic district must be notified of the proposal so that they may appear and comment on it during the public hearings before the Planning Commission and the City Council. The RHDC usually sponsors neighborhood forums, inviting owner and tenant participation, prior to the public hearings.



The Executive Mansion and its grounds are a dominant feature of the Blount Street Historic District, which also includes a number of high-style residences from the late nineteenth century.



The Capitol Square Historic District centers on the State Capitol and its prominent square surrounded by churches and government buildings.



The J. S. Dorton Arena, built in 1952, a Raleigh Historic Landmark, is recognized for its exceptionally significant design that boldly combines architecture and engineering through its parabolic structure.



1.2 Raleigh Historic Districts Commission

The Raleigh Historic Districts Commission (RHDC) serves the public both as a steward for the districts and landmarks and as a resource for people fortunate enough to own properties in these areas. It provides assistance to owners and tenants, helps them plan the alterations that they are considering for their properties, and guides them through the application process necessary to implement changes.

The commission consists of twelve members appointed by the City Council for overlapping two-year terms. A majority of commission members must have demonstrated special interest, experience, or education in history, architecture, archaeology, or related fields. Also, all members of the commission must reside within the city's corporate limits, and at least one-fourth of the commission's membership must either reside or own property in a Raleigh Historic District or a Raleigh Historic Landmark.

The commission has numerous powers and responsibilities, including recommending to the City Council the designation, or the removal, of historic district overlay zoning and landmark status; granting requests for proposed changes within the historic districts or to a Raleigh Historic Landmark that it determines are congruous with the special character of the resource; conducting educational programs on historic districts and local landmarks; cooperating with state, federal, and local governments in pursuance of its responsibilities; and conducting meetings or hearings necessary for these purposes. See the RHDC Bylaws and Rules of Procedure for more information.

1.3 The Design Review Process

Landmarks and historic districts are not designated to prevent changes. Rather, the RHDC offers assistance to property owners in shaping changes while meeting the requirements of the Code (for which the design guidelines are the development standards). The Code provides a process that ensures property changes are within the spirit and the character of the historic district or local landmark. In this special design review process, plans are examined and evaluated before work is begun. The process does not require property owners to make changes to their properties, and it does not apply to routine maintenance that does not affect exterior appearance or to interior alterations, except in some rare landmark cases where interiors may specifically be designated. However, any exterior alterations, new construction, demolition, significant landscape changes, or moving of buildings must be evaluated. In the case of demolition, the Code provides for a delay of up to 365 days during which alternatives to demolition can be explored.

One of the purposes of the RHDC is to assist and consult with property owners about proposed changes to properties in the historic districts and landmark properties. In the early planning stages of a project, property owners should call the RHDC staff with any questions or concerns. The staff can assist by interpreting the Code, suggesting solutions to problems, and explaining the review process. They can also make on-site consultations and provide technical assistance in solving problems (such as persistently peeling paint). In addition, the RHDC has a library of preservation resource materials that property owners may consult or borrow.

Certificates of Appropriateness

Design guidelines for reviewing the compatibility of changes in the districts with the existing character of the districts were adopted in the 1970s, revised in 1983 and 2001, and updated again in this document. These guidelines are based on a commonsense approach to the enhancement of historic structures and districts.



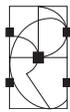
Moore Square, the heart of the Moore Square Historic District, is one of two surviving four-acre parks included in the original City of Raleigh plan. The commercial character of the district today dates back to the early 1900s.



The Boylan Heights Historic District is an early twentieth century suburb composed of bungalows and colonial and classical revival residences built along a curving street grid.



The Oakwood Historic District has the most diverse collection of architecture among Raleigh's historic districts. It includes the city's most intact collection of Victorian-era styles.



For assistance, contact
the RHDC Staff,
919/832-7238
or
rhdc@rhdc.org

Property owners planning
major additions and new
construction projects are
encouraged to consult with
DRAC (Design Review
Advisory Committee).

This is just a brief
summary of the pro-
cess, go to rhdc.org
for complete details.

They stress the importance of protecting and maintaining historic landmarks and districts, and they advocate repair over replacement. Upon request, the Raleigh Historic Districts Commission (RHDC) will provide a property owner with a copy of the relevant guidelines for a project and a property or it can be downloaded from rhdc.org. Following an application review, a Certificate of Appropriateness (COA) is issued to show that the proposed project has been reviewed according to the design guidelines and found to be appropriate.

The RHDC has established a Design Review Advisory Committee (DRAC) to assist property owners in interpreting the guidelines for complex projects such as major additions and new construction. DRAC is made up of volunteers (former commission members, architects, contractors, etc.) who are familiar with the guidelines. This group meets with property owners informally before any application is completed or reviewed. The dates of the DRAC's monthly meetings are available from the RHDC.

A COA is not necessary for routine maintenance, which includes repair or replacement when there is no change in the design, materials, color, or general appearance of the structure or the grounds; however, a COA must be obtained for all other projects. Any repair or replacement necessitating a change in design, materials, or general appearance is defined as an alteration and requires a COA, as does any proposed new construction or site development.

An application form for a COA can be obtained from the RHDC office or online at www.rhdc.org. Drawings and/or photographs depicting the proposed changes are generally required for the review. Most applications can be reviewed and approved by the RHDC staff through the Minor Work process. Minor Work and Major Work projects are defined in the RHDC bylaws. Major Work projects are reviewed by the RHDC's COA Committee in a quasi-judicial public hearing. Examples of these types of major changes are new construction, additions, demolition, or relocation of historic properties. Property owners within 100 feet of a major work project are notified by mail of the date, time, and place for the COA Committee's review of the project. A sign is also posted at the property to alert the general public of the upcoming hearing. The COA Committee meets monthly, and a decision is usually reached during the meeting at which the application is heard. COA approval is in addition to other regulatory approval and must be obtained before other permits.

Appeals, Reconsideration Requests, and Compliance

In any action granting or denying a certificate of appropriateness, the applicant may appeal the decision to the Board of Adjustment, except for an action involving the State of North Carolina, in which case the appeal is heard by the NC Historical Commission. Notice of intent to appeal must be given to the RHDC either orally at the meeting or in writing postmarked within 20 days following the decision. An application for appeal to the Board of Adjustment must then be filed within 60 days following the commission's decision. Appeals are in the nature of certiorari.

A request for reconsideration of an application that is approved subject to conditions or denied may be submitted to the chair of the COA committee of the RHDC within 20 days following the decision. The written petition must set forth that there was a material omission from the facts presented, the absence of evidence on a relevant and material point, or the legal or factual basis for a contention of error in the COA Committee Findings or action.

Any person or corporation who violates the provisions of the historic district regulations is subject to the same criminal misdemeanor and/or civil penalties as apply in any other violation of the city zoning code. These include a zoning violation citation issued by the Inspections Department. Following written notice, continuing violations will result in a civil penalty (fine) for each day of the continuing violation.



1.4 The Secretary of the Interior's Standards for Rehabilitation

The Standards that follow were originally published in 1977 and revised in 1990 as part of Department of the Interior regulations (36 CFR Part 67, Historic Preservation Certifications). They pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent or related new construction.

The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility. They provide the guiding principles of these design guidelines.

State enabling legislation requires that the Secretary's Standards shall be the sole principles and guidelines used in the review of COAs for changes to state-owned properties.

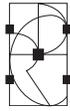
- 1 A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2 The historic character of a property shall be retained and preserved. The removal of historic materials or alteration 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.



The Secretary of the Interior is responsible for establishing standards for all national preservation programs under Departmental authority and for advising federal agencies on the preservation of historic properties listed or eligible for listing in the National Register of Historic Places.

The Standards for Rehabilitation, a section of the Secretary's Standards, address the most prevalent preservation treatment today: rehabilitation. Rehabilitation is defined as the process of restoring 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.

The hierarchical approach of the Standards for Rehabilitation advocates maintenance over repair and, in turn, repair over replacement of historic features and materials. It also calls for new work, including additions and infill construction, to be compatible with but differentiated from the old.



1.5 Historic Preservation and Sustainability

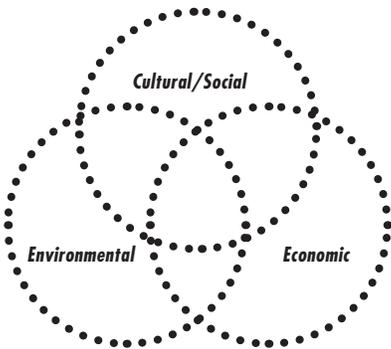
The City of Raleigh uses the following definition of sustainability from the President's Council on Sustainable Development:

"Sustainable communities encourage people to work together to create healthy communities where natural and historic resources are preserved, jobs are available, sprawl is contained, neighborhoods are secure, education is lifelong, transportation and health care are accessible, and all citizens have opportunities to improve the quality of their lives."

The Secretary of the Interior's Standards for Rehabilitation (see preceding page) emphasize a hierarchical approach to the built environment with the three R's: retain, repair, or replace. The sustainability movement parallels this approach through its four R's: reduce, reuse, recycle, and repair. Indeed, retaining and repairing our historic buildings is affirmed by both camps as is reusing historic buildings by adapting them for new uses. Historic Preservation and sustainability are inextricably linked through their shared values of good stewardship, the revitalization of neighborhoods, and the ongoing use of the built environment. Both advocate a culture of reuse, community reinvestment, and appreciation of our heritage. The guiding principles of preservation resonate with the three fundamental principles of sustainability: economic strength, environmental stewardship, and social equity. Together they speak to the wise use of resources to sustain our communities.

The City of Raleigh believes a sustainable community is a thriving community; one that provides opportunities for all residents, cares for the environment, and has a long term vision for a prosperous future. In its mission statement, the Raleigh City Council affirmed its commitment to sustainability stating explicitly that it welcomes "growth and diversity through policies and programs that will protect, preserve, and enhance Raleigh's existing neighborhoods, natural amenities, rich history, and cultural and human resources for future generations." To this end, they promote the conservation and protection of environmental resources through best practices and cutting edge conservation and stewardship, land use, infrastructure, and building technologies.

The RHDC design guidelines build upon the shared values of historic preservation and sustainability to explicitly relate them in meaningful ways. The touchstones of good practice for both movements clearly overlap. Throughout the RHDC guidelines an accepting and encouraging tone towards sustainability is established and the text and illustrations include specific examples and references to sustainable practices. Particular attention is given to proactive maintenance, adoption of effective energy conservation strategies, and thoughtful consideration of the lifespan of building materials and their inherent embodied energy. In a pragmatic three-step approach, the guidelines advocate the following:

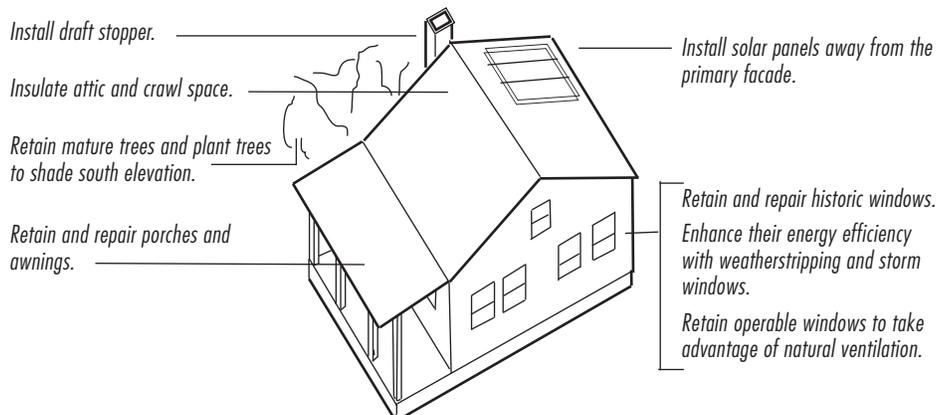


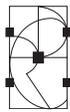
Sustainability Diagram

Sustainability is often described as having three inter-related spheres: cultural/social, environmental, and economic. Each of these aspects of sustainability is also an integral component of historic preservation.

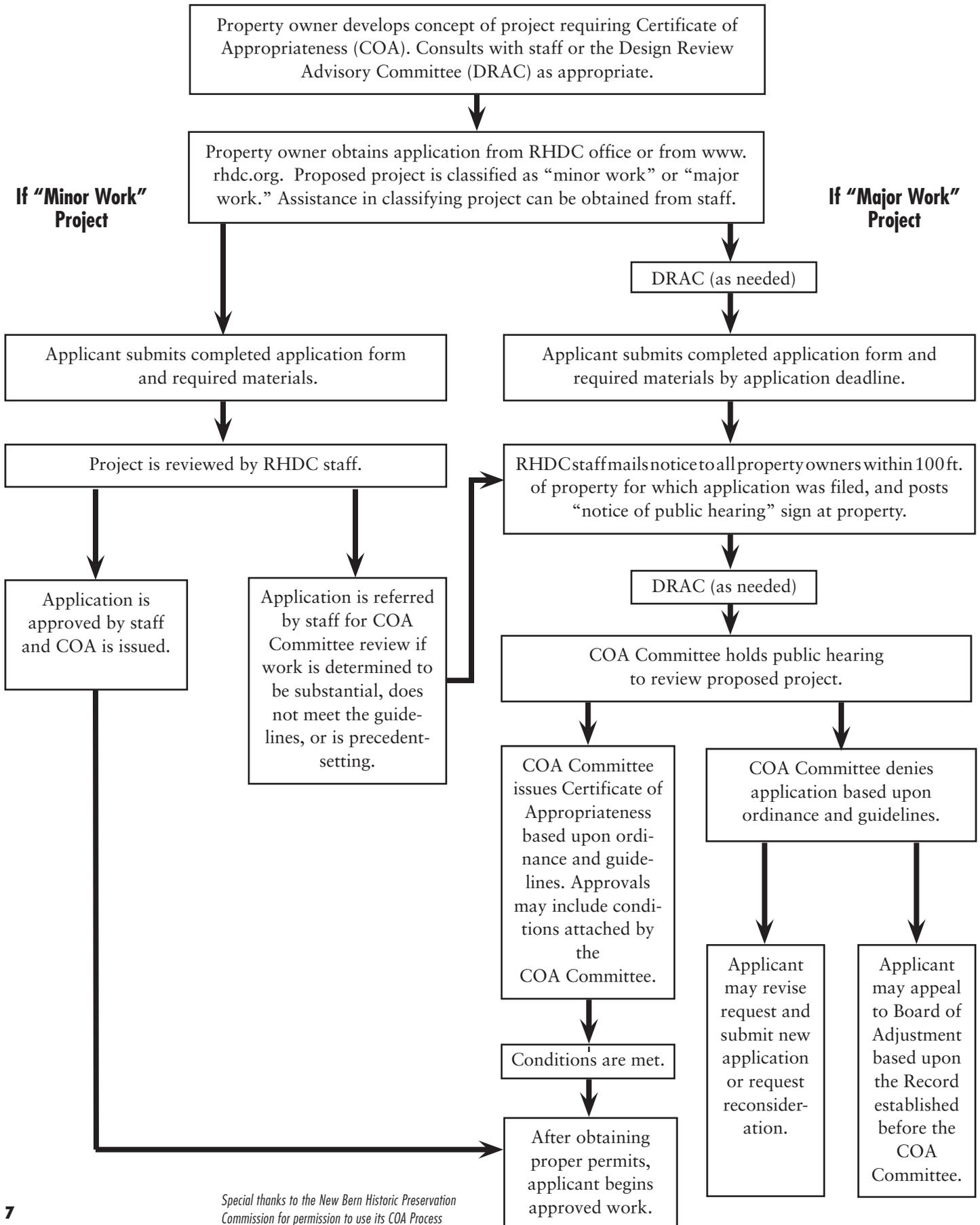
- Optimize existing sustainable features of historic buildings and neighborhoods.
- Enhance sustainability through energy conservation strategies, lifecycle of materials considerations, and landscape design decisions.
- Promote the sensitive introduction of new sustainable technology.

The diagram on the right illustrates energy conservation strategies that also retain the historic integrity of a historic residence.





1.6 Certificate of Appropriateness Flow Chart



Special thanks to the New Bern Historic Preservation Commission for permission to use its COA Process document as source material for this chart.

