

Historic District Commission Rules of Procedure

1.0 Purpose

To establish procedures for organizing the business of the Hillsborough Historic District Commission, hereafter termed "Commission", and processing applications for Certificate of Appropriateness for (1) Changes in the exterior appearance of existing structures and/or streetscapes: (2) the design of new structures and additions to existing structures: and (3) for demolition of existing structures within the Hillsborough Historic District, hereafter called "District", and to establish procedures for the Commission's review of potential "landmarks" and applications for certificates of appropriateness for such "landmarks".

1.1 *Mission Statement.* To identify, protect, and preserve Hillsborough's architectural resources and to educate the public about those resources and preservation in general. The Hillsborough Historic District presents a visual history of Hillsborough's development from the 1700s to the 1960s. In 1973, the town chose to respect that history through the passage of the preservation ordinance creating the historic district.

1.2 *Public Charge.* The Hillsborough Historic District Commission pledges to the citizens of Hillsborough its respect. The commission asks members of the public to conduct themselves in a respectful, courteous manner with the commission members and with fellow citizens. At any time should any member of the commission or any citizen fail to observe this public charge, the chair or the chair's designee will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the chair or the chair's designee will recess the meeting until such time that a genuine commitment to this public charge can be observed.

2.0 General Rules

The Commission shall be governed by the terms of the Town of Hillsborough Unified Development Ordinance (UDO), the Hillsborough Historic District Design Guidelines, and by the terms of G.S. 160A-400.1 through 160A-400.14, as they may be amended or revised. For procedures not covered by these rules, the Commission shall follow the rules contained in the current edition of Robert's Rules of Order.

3.0 Jurisdiction

The Commission's jurisdiction for requiring Certificates of Appropriateness is mandated by the Town of Hillsborough Historic District Section 4.3.1 of the Unified Development Ordinance ("UDO") in accordance with the Zoning Map. In addition, The Commission's jurisdiction with respect to "landmarks" is established by Section 2.5 and Section 3.12 of the UDO.

4.0 Members, Officers, and Duties

The Commission shall be composed of seven members, whose terms of office are set by the Hillsborough Board of Commissioners

4.1 *Chairman.* A chairman shall be elected by the members of the Historic District Commission. The chairman shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Commission in session at a time. The chairman shall appoint any committees found necessary to investigate any matters before the Commission.

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- 4.2 *Vice-Chairman.* A vice-chairman shall be elected by the Commission from among its members in the same manner as the chairman. The vice- chairman shall serve as acting chairman in the absence of the chairman, and at such times shall have the same powers and duties as the chairman. Should both the chairman and the vice-chairman be absent, any member may serve as chairman with the consent of the majority of those members present.
- 4.3 *Secretary.* A member of the staff designated by the Hillsborough Board of Commissioners or the Zoning Officer shall serve as secretary to the Commission. The secretary, subject to the direction of the chairman of the Commission, shall keep records, conduct all correspondence of the Commission, and generally supervise the clerical work of the Commission. The secretary shall not be eligible to vote upon any matter.
- 4.4 *Elections.* Whenever practical, election of officers shall be held at the first regular meeting in October. The secretary shall make the election of officers a standing agenda item for the first regular meeting in October. The Secretary shall assume the chair for the purpose of administering the election of the chair. The Secretary shall open the floor to nominations for the chair by Board members. Nominees must be present at the organizational meeting in order to be eligible for nomination. The Secretary shall then entertain a motion to close the floor to nominations. After the motion has been seconded, but before the Board acts on the motion, any nominee may decline a nomination. Election of the chair shall be by roll call vote. A majority of the quorum of the Board present at the organizational meeting shall be required for election of the chair. Once a chair has been elected, the newly elected chair of the Board shall assume the duties of the chair and shall proceed immediately to the election of the vice chair. The election of the vice chair shall follow the same procedure as set forth above for the election of the chair.
- 4.5 *Attendance at meetings.* Within 6 months of initial appointment to the Commission, a new member must attend a Town Board meeting and an orientation session with training staff. Faithful and prompt attendance at all meetings of the Commission and conscientious performance of the duties required of members shall be a prerequisite to continuing membership on the Commission. Attendance at regularly scheduled board meetings is critical to continued membership on a board. Staff shall notify any board member with 4 absences within a calendar year that regular attendance is required and future absences may impact continued participation. If a board member has 6 absences within a calendar year, their membership is automatically ended unless reappointed by the town board within 30 days. Should a member fail to attend three consecutive regular meetings of the Commission, and should there be no adequate excuses for such absences, the chairman, with the concurrence of the majority of the entire Commission, shall notify the Board of Commissioners of a vacancy on the Commission and request that it be filled. Excused absences shall include but are not limited to: personal or family illness, death in the family, work related, and other leaves of absence provided reasonable notice is given to the Secretary. The secretary shall notify any member absent, without an approved

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excuse or proper notice from two consecutive meetings, of this requirement prior to the next regular meeting.

- 4.6 *Disqualification of a voting member.* Pursuant to G.S. 160A-388(e1) “A member of the board or any other body exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.”
- 4.7 *Qualification to vote.* No Commission member shall vote on any matter deciding an application or a request to reconsider unless that member shall have attended the Commission's previous deliberations on such application, or shall have read the minutes of the meetings at which the application was discussed and is thoroughly familiar with the facts and details of the proposal.
- 4.8 *General Knowledge.* Each member of the Commission shall be thoroughly familiar with all statutes, laws, ordinances, and rules of procedure relating to the District and the Commission as time and circumstance permit.
- 4.9 *Required Training.* Each member of the Commission shall be thoroughly familiar with all statutes, laws, ordinances, and rules of procedure relating to the District and the Commission as time and circumstance permit. At least two members per fiscal year shall attend required training to meet the Town's Certified Local Government (CLG) training requirements at the direction of staff.
- 4.10 *Vote.* The majority of those members present or a concurring vote of at least three (3) members of the Board, if only 5 or less members are present, shall be necessary in order to decide in favor of the applicant or any matter upon which it is required to pass by this Ordinance. A tie vote on the Findings of Fact does not halt procedure deliberation on an application. A tie vote on a Motion does not constitute a majority of the board members present and therefore the Motion fails.
- 4.11 *Member Conduct.* Membership on the Commission is a privilege in service to the Town of Hillsborough and shall be treated as such. All members of the Commission shall at all times:
- A. Provide leadership to the Commission and the Town of Hillsborough, by personal example, in support of the Commission's mission statement.
 - B. Respect others and not bully, insult, threaten, or attempt to bully, insult, or threaten any member of staff, the Commission, or the General Public.

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C. Respect the confidentiality of information which you receive as a member by not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and not obstructing third parties' legal rights of access to information.

D. Conduct themselves in a manner which will prevent the Commission from being held in disrepute.

E. Use their position as a member acting only in the public interest, and not for personal advantage, including financial gain.

F. Apply the Commission's Design Guidelines, where any deviation from the adopted Design Guidelines shall be based on sound reasoning in accordance with the Commission's mission statement.

G. Exercise independent judgement, making decisions only for the public good, and making no decisions that would knowingly jeopardize the Town's Certified Local Government status or put the Town in a legally indefensible position.

H. Do nothing that causes the Commission to act unlawfully.

I. Take no action that would be incongruous with the special character of Hillsborough's historic district.

4.12 *Violation of Rules of Procedure.* Members found to be in violation of one or more of the Rules of Procedure outlined in Sections 1.2, 4.5, 4.6, 4.7, and/or 4.11, shall be, at the discretion of the Planning Director, Mayor, and/or Town Board, subject to either counseling, coaching, probation (with a final opportunity to correct the adverse action), or dismissal from the Commission. The severity of the violation as it relates to carrying out the duties of the Commission, shall determine the appropriate action to be taken by the Town.

4.13 *Reappointment and Resignation of Members.* Members in good standing desiring to serve a second consecutive term on the Commission shall notify staff a minimum of 60 calendar days prior to the expiration date for their current term. Staff will then consult with the Chair and the Planning Director to determine whether a second term will be recommended. Among the factors to be considered in making this determination will be the Member's attendance record, regular participation in discussion at meetings, member conduct at meetings, and whether the Town has other applicants seeking to serve on the Commission. Should a member be recommended for reappointment, he or she will be permitted to serve a second consecutive three-year term in accordance with Town ordinance. Should a member in good standing voluntarily decide not to serve a second term, he or she will be permitted to re-apply after a one-year period lapses between terms. Should a member voluntarily resign prior to completion of his or her term without providing staff proper notice, he or she will be ineligible for reappointment for a period of no less than 1 year following the date of resignation. Finally, should a member not be recommended for reappointment for any reason, he or she may serve

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the rest of his or her current term, after which a new appointee shall begin his or her service to the Commission.

5.0 Meetings

- 5.1 *Regular meetings.* Regular meetings of the Commission shall be held on the first Wednesday of each month at 7:00pm at the Town Barn; provided, that meetings may be held at some other convenient place and/or time if directed by the chairman, if proper notification is given in advance to both the Commission and the public, and if posted at the scheduled meeting place.
- 5.2 *Special meetings.* Special meetings of the Commission may be called at any time by the chairman. At least 48 hours' notice of time and place of special meetings shall be given by the secretary or chairman to each member of the Commission, and a reasonable attempt shall be made to provide notice to the public of the meeting as soon as it is known.
- 5.3 *Cancellation of meetings.* Whenever there is no business for the Commission, the secretary may dispense with a regular meeting by the giving of notice to all members and the public not less than 24 hours prior to the time set for the meetings.
- 5.4 *Quorum.* A quorum of the Commission, necessary to conduct any business, shall follow State statute. If no quorum is present after the Secretary does the roll call, then the chairman may call for adjournment of the meeting.
- 5.5 *Conduct of meetings.* All meetings shall be open to the public, but are not necessarily public hearings. The public may attend, but public comment shall be limited to those members of the public who have expert testimony or factual evidence directly related to an application on the agenda. Other public comments are permissible at the discretion of the Chairman but shall not be used to render the Commission's decision on an agenda item. At the discretion of the Chairman, a time limit may be placed on speakers other than the applicant to afford each citizen an equitable opportunity to speak in favor of, or in opposition to, an application. The order of business for regular meetings shall generally be as follows unless otherwise modified: (1) Call to order; (2) Roll call; (3) Confirmation of a quorum; (4) Mission statement; (5) Agenda changes; (6) Minutes review and approval; (7) Election of officers (if applicable); (8) Old business items; (9) New business items; (10) Updates; and (11) Adjournment.

6.0 Landmarks

From time to time, the Commission may be asked to consider recommending to the Town Board the adoption of an ordinance designation of a building, structure, site, area or object, as a landmark, or that such landmark designation be revoked or removed for cause. The following rules shall guide the Commission in the process.

- 6.1. When a building, structure, site, area or object is proposed for designation as a landmark, the Commission shall cause an investigation to be made concerning the historical, architectural, pre-historical, educational or cultural significance thereof. The investigation

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may include review of existing written reports, assessments, analyses and other similar documentation concerning the building, structure, site, area or object.

- 6.2. The results of the investigation conducted pursuant to paragraph 6.1 above shall be compiled into a report, which shall be reviewed by the Commission and, upon the Commission's approval, shall be forwarded to the Office of Archives and History, North Carolina Department of Cultural Resources, for its review and comment.
- 6.3. The Commission shall conduct a public hearing either jointly with the Town Board or separately, on the proposed ordinance. Notice of the public hearing shall be mailed to the owner(s) of the building, structure, site, area or object at least ten (10) but not more than twenty-five (25) days prior to the public hearing, and notice shall also be mailed to adjoining or nearby property owners as stated in paragraph 7.3 below.
- 6.4. After the public hearing, and after either (a) receipt and consideration of comments from the State Historic Preservation Officer in response to the report submitted pursuant to paragraph 6.2 above, or (b) the expiration of 30 days from submission of the report by the Commission without any response or comments by the State Historic Preservation Officer, the Commission shall make a recommendation to the Town Board concerning the adoption of an ordinance designating the building, structure, site, area or object as a landmark.

7.0 Application Procedures

- 7.1 *Filing of Application.* A complete application must be filed with the secretary on forms provided at least 15 working days prior to the next meeting of the Commission, accompanied by all submittal requirements as deemed necessary by the staff, including but not limited to site plans, elevations, a narrative, and an exterior materials list. The application must comply with the requirements of the Unified Development Ordinance and the Hillsborough Historic District Design Guidelines. Applications shall be accompanied by the required fees and supporting information. Review and permits needed from other Boards should be secured before an application is heard by the Commission unless otherwise determined by staff. If the other Board(s) tables an application, the Commission should also table any such application until approval is received unless the Commission feels as though a decision can still be made on the item without concurrence from another Board. If the permit(s) are denied, the application to the Commission shall be considered withdrawn.
- 7.2 *Agenda Scheduling.* Applicants are encouraged to submit complete application packages as early as possible, as the Commission allows a maximum of four major certificate applications on each agenda, unless otherwise approved by staff. Any applications that are incomplete or received after the first four deemed complete by staff may be moved to the next agenda with available space. Complete applications for work deemed to be minor, but which still requires commission review, will be added to agendas as space is available at staff's discretion.

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- 7.3 *Notice to Neighboring Property.* The secretary shall notify all of the property owners within 100 feet on all sides of the subject property by mail, which shall bear postmarks not less than 10 days prior to the date of the meeting at which the application is to be heard.
- 7.4 *Pre-application Meetings.* It shall be the policy of the Commission in regard to applications involving extensive new structures or alterations or additions to existing structures that the Commission shall be available to meet with the applicant and or representative at some early stage in the design process in order to advise them informally concerning the Commission's standards and guidelines, the nature of the area where the proposed construction is to take place, and other relevant factors. The Commission, collectively and individually, shall refrain from any indication of approval or disapproval, but shall not, for this reason, be barred from reasonable discussion of the applicant's proposals. No advice or opinion given, or reported as having been given, by any member of the Commission at such informal meeting shall be in any official or binding upon the Commission at any future time. Notice of the need for such a conference shall be given to applicants by the secretary at the earliest possible time. Such conferences may also be requested by the applicant.
- 7.5 *Public Hearing.* In cases where the Commission deems it necessary, it may hold a public hearing concerning an application.
- 7.6 *Decision Timeline.* All applications for certificates of appropriateness shall be reviewed and acted upon within a reasonable time, not to exceed 180 days from the date that a complete application for a Certificate of Appropriateness is filed, unless an extension of time is agreed to by the applicant.
- 7.7 *Approved Application.* If the application is approved, the secretary shall transmit a Certificate of Appropriateness clearly describing the nature of the work which has been approved within 7 business days from the date of approval.
- 7.8 *Denied application.* If the application is denied, a letter describing the reasons for denial shall be sent to the applicant by the secretary within 7 business days from the date of denial. The minutes of the meeting shall also be made available at the Planning Department.
- 7.9 *Revocation of Certificate of Appropriateness.* The Zoning Officer shall revoke any Certificate of Appropriateness where the project is not completed in the same manner as approved by the Commission. Revocation of a Certificate of Appropriateness constitutes a violation of the Unified Development Ordinance and shall be handled as such.

8.0 Consideration of Applications

Any party may appear in person or by agent or attorney at the meeting. All persons addressing the Commission shall be sworn in.

The order of business for consideration of applications for Certificates of Appropriateness shall be as follows:

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1. The secretary shall give a presentation of the application including all supporting material submitted.
2. The applicant shall present additional information in support of the application.
3. Statements or arguments in favor or in opposition of the application will be entered into the record by sworn testimony.
4. The chairman, or such person as he or she directs shall summarize the evidence which has been presented, giving all parties an opportunity to make objections or corrections.
5. The Commission shall thereafter proceed to deliberate whether to grant the Certificate or deny the application.

The Commission may, at its discretion, view the premises and obtain additional facts concerning the application before arriving at a decision. All decisions of the Commission shall be supported by appropriate findings of fact, and where necessary, shall be accompanied by such conditions and or recommendations as it may determine to be reasonable under the circumstances.

In considering an application, witnesses may be called, and factual evidence may be submitted, but the Commission shall not be limited to considerations of such evidence as would be admissible in a court of law.

9.0 Reconsideration of Applications which have been denied

The order of business for reconsideration of applications for Certificates of Appropriateness which have been denied shall be as follows:

1. Notice of possible reconsideration shall be given to the Secretary in advance of the meeting so that the item can be researched and included in the agenda packet. Notifications required in Section 7.3 shall also be made prior to Commission reconsideration.
2. The chairman shall entertain a motion from a member of the Commission that the applicant be allowed to present new evidence in support of the request for reconsideration. Such evidence shall be limited to that which is necessary to enable the Commission to determine whether or not there has been a substantial change in the facts, evidence, or conditions relating to the application; provided, however that the applicant shall be given the opportunity to present any other additional supporting evidence, if the Commission decides to reconsider his or her application.
3. After receiving the evidence, the Commission shall proceed to deliberate whether or not there has been a substantial change in the facts, evidence, or conditions relating to the application which would warrant reconsideration. If the Commission finds that there has been such a change, it shall thereupon treat the request as a new application received at that time.
4. Staff shall provide written notice of the Commission's decision on reconsideration to the applicant within 7 business days of the date of the meeting at which the decision was made.

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10.0 Modifications of Applications

A pending application for a Certificate of Appropriateness may be modified during the Commission's deliberation. Such modifications shall be accompanied by elevations, plans, and sketches where necessary. If the Commission finds that the modification constitutes a substantial change which might affect surrounding property owners, it shall request the Secretary notify affected owners following the procedure set out in Section 7.3 before acting on the application. The Commission shall thereupon treat the request in the same manner as any other application as outlined in Section 7.0.

An approved Certificate of Appropriateness may be modified upon consultation with the Zoning Officer. If he/she finds that the modification constitutes a substantial change which might affect surrounding property owners, he/she shall request that a new application be made to the Commission. Upon re-application, the project shall be treated in the same manner as any other application as outlined in Section 7.0.

11.0 Extensions and Re-Applications

The Certificate of Appropriateness is valid for a period of twelve months from the date of issuance. If the work approved by the issuance of a Certificate of Appropriateness has not commenced within twelve months, the Certificate becomes inactive. A new Certificate of Appropriateness may be issued by the Zoning Officer if he/she can determine that there have been no changes to the application or significant changes in the neighborhood or regulations during the past twelve months. If the Zoning Officer cannot make this determination, the applicant shall re-apply for a new Certificate of Appropriateness with notification and review procedures the same as a new application.

If the work approved by the issuance of a Certificate of Appropriateness has not been complete within twelve months, the Certificate expires, and the applicant shall apply for an extension to the original application. This extension may be approved by the Zoning Officer if he/she can determine that there have been no changes to the application or significant changes in the neighborhood or regulations in the past twelve months. If this determination cannot be made, the application will be considered with the standard notification and review procedures by the Commission. This review is to ensure that no significant changes have taken place in the neighborhood or regulations in the past twelve months that would make the project unacceptable or incompatible.

A new Certificate of Appropriateness requires payment of a new application fee; however, an extension issued by the Zoning Officer does not require payment of the standard fee.

12.0 Emergency Works

Work that is of an emergency nature may be brought before the Commission without meeting the filing deadline established in Section 6.1. These applications do not require the standard neighbor notifications described in Section 6.2. Instead, the applicant or Zoning Officer must notify the neighboring property owners at least 2 hours before the meeting, either in person or by hand delivered notice. Any application approved under this section will carry approval with conditions that the neighbors do not have significant complaint regarding the work. Neighboring property owners will be allowed the standard seven days to comment on the application.

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An emergency work is defined as any repair or reconstruction which must be done before a meeting of the Historic District Commission that would allow the application to comply by the filing deadline AND that is absolutely necessary to maintain the long term structural integrity of the structure or is necessary to prevent imminent harm to the public. This includes, but is not limited to: significant storm damage, vandalism, fire damage, and other unforeseeable circumstances of an emergency nature. The determination of emergency status is the responsibility of the Zoning Officer.

13.0 Exempt Works – No Certificate of Appropriateness Required (adopted 08/22/2018)

Certain actions of regular maintenance or of a temporary nature are exempted from obtaining a Certificate of Appropriateness. These actions are limited to the following items, and any proposal should still be submitted to staff for review to verify that the work proposed qualifies for this exemption:

I. Changes to Existing Building Exteriors

a. Masonry:

- i. Clear coat treatment to brick on the exterior of a historic mill recognized as a local landmark, provided that the brick was formerly an interior wall and now requires treatment with clear coat sealer to keep the softer brick from degrading.

b. Wood:

c. Architectural Metals:

d. Paint and Exterior Color:

- i. Painting the same color as existing paint, including slight variations in shade of the same base color as determined by the Zoning Officer.

e. Exterior Walls:

- i. Installation of house numbers and mailboxes affixed to a building in such a way to avoid damaging the exterior walls of a building.
- ii. Replacement or repair of natural building materials in kind with no change in shape or dimension.

f. Windows and Doors:

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- g. Roofs:**
 - i. Replacement of roof or roofing material, if the shape, dimensions, and color are the same as those previously existing, including slight variations in materials and colors as determined by the Zoning Officer.
 - ii. Alteration of existing flat roof coverings.
 - iii. Installation/addition/removal of gutters and downspouts.

- h. Porches, Entrances, and Balconies:**

- i. Accessibility and Life Safety Considerations:**

- j. Utilities and Energy Retrofit:**
 - i. All window-mounted HVAC units.
 - ii. Installation, alteration, or removal of antennae for public utilities that are regulated by the North Carolina Utilities Commission, and that do not change the appearance of the streetscape and are not visible from public rights-of-way and are screened from general public view.
 - iii. Installation of satellite dishes, 20" or less in diameter, that are not attached to the front of the structure and not visible from the street.
 - iv. Repair/replacement in kind of awnings or canopies made of fabric, metal, or canvas. Existing awnings or canopies made of synthetic materials, such as plastic or vinyl may not be replaced under this exempt work.
 - v. Removal of storm windows or storm doors.

- k. Outbuildings and Garages:**

- l. Storefronts:**

- II. New Construction and Additions**
 - a. New Construction of Primary Buildings:**

 - b. New Construction of Outbuildings and Garages:**

 - c. Additions to Existing Buildings:**

 - d. Decks:**

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III. Historic District Setting

a. Site Features and Plantings:

- i. Play equipment (not exceeding 300 square feet in area), and tree houses or movable play houses (not exceeding 100 square feet) when located in the backyard.
- ii. Movable outside furniture, except public facilities.
- iii. All minor landscaping which includes, but is not limited to, maintenance trimming, removal of unhealthy shrubs and perennials, garden accents, and creation of new landscaped areas.
- iv. Installation of post-mounted mailboxes on wood or metal posts that meet United States Postal Service requirements for size, location, and design and that do not exceed six feet in height above grade.
- v. Installation or removal of gardens, planting beds, hedges, screen plantings, or shrubbery that are not historically significant as determined by staff.
- vi. Installation of hedges, foundation, or screen plantings that do not conceal architectural details or features on a historic structure.

b. Fences and Walls:

- i. Removal of synthetic fencing materials and chain link fencing.

c. Walkways, Driveways, and Off-Street Parking:

- i. Minor alterations to existing private drives and public streets such as maintenance grading, resurfacing, re-alignment, and the repair of existing driveway surfaces.

d. Public Rights-of-Way:

- i. Street, sidewalk and underground utility work which does not change the appearance of the streetscape. This includes but is not limited to the burial of overhead lines, replacement of water and sewer lines, replacement of sidewalks, and the replacement and/or installation of standard utility boxes and meters for gas, water, electricity, and the like, but shall not apply to wireless facilities or antennae. This exempt work does not apply to new or replacement utility poles or street lights.

e. Archaeological Features:

f. Exterior Lighting:

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g. Signage:

- i. Temporary signs and flags listed as exempt in Section 6.18.5 of the Zoning Ordinance.
- ii. One residential occupant sign per lot not exceeding four square feet in area with the address, occupant's name, name of structure, and dates located in the front or side yard outside the public right-of-way. These signs must also be constructed of wood, painted or stained white, and may not exceed six feet in height.
- iii. Historical markers placed by the Historical Society or the State of North Carolina.

h. Art:

- i. Installation of common seasonal decorations that are intended for temporary use and are not permanently affixed to a historic building or site.

IV. Relocation and Demolition

a. Relocation of Existing Buildings:

b. Demolition of Existing Buildings:

- i. Demolition or removal of existing accessory structures, site features, or buildings that were built or erected illegally outside the period of significance without an approved Certificate of Appropriateness.

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14.0 Minor Works - Staff-Issued Certificate of Appropriateness Required (adopted 12-06-2018)

The following works of a minor nature typically do not require Historic District Commission approval unless referred by staff, but rather, they may be approved through issuance of a minor works permit by the Zoning Officer if the proposed works meet the criteria listed below and are appropriate to the District or the Landmark as determined by staff:

I. Changes to Existing Building Exteriors

A. Masonry:

1. Cleaning of masonry surfaces provided that the applicant demonstrates that there will be no change in design, material, dimension, pattern, detail, texture, and color of the masonry or mortar. Painting or staining brick requires Commission approval.

B. Wood:

1. Replacement of wood posts or columns that are not historically significant with wood posts or columns of a design and scale appropriate to the architecture of the house. Changes to or replacement of decorative exterior wood features on a historic building shall require Commission approval.

C. Architectural Metals:

1. Replacement or removal of non-historic or non-original architectural metal columns, posts, railings and other features with wood features consistent with the architectural style of the home. For properties within the period of significance, evidence that the metal feature to be replaced is not original to the structure must be provided before staff can approve replacement. Replacement or removal of original, historic architectural metal features requires Commission approval.

D. Paint and Exterior Color:

1. Painting of previously-painted surfaces and unpainted cinderblock with traditional colors found in the district. When the request entails a new color combination for an entire structure, the main body and the trim shall be a traditional dark color/light color combination with no more than two additional accent colors to receive staff approval. Requests to paint a structure in a non-traditional color or color scheme, such as pinks, pastels, vivid colors, or more than three total colors shall require Commission approval if staff determines the color(s) or color combinations incompatible for the district.

E. Exterior Walls:

1. Removal of artificial siding when the original siding is a natural material and is to be replaced or repaired and painted or stained.

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F. Windows and Doors:

1. Replacement of windows that are not historically significant, provided that the muntin configuration remains the same as the windows being replaced, unless evidence is produced showing the original muntin configuration was something different, in which case that original configuration shall be used. Replacement windows shall be constructed of either wood or aluminum-clad wood with true or simulated divided lights and with mullion and frame profiles that are the best approximation of the original windows.
2. Replacement of original, historically-significant windows on historic structures if the replacement material is wood and the muntin configurations match exactly those of the windows being replaced. Replacements shall require Commission approval when the materials are to be something other than wood and/or replacement window muntin configurations do not match those of the original windows.
3. Replacement of doors that are not historically significant to a historic structure, which are designed to closely match the design of the door being replaced, unless evidence shows the original door design is different, in which case that configuration shall be used. Replacement front doors shall be constructed of solid wood, and replacement side or rear doors shall be wood, fiberglass-clad wood, fiberglass, or aluminum-clad wood. Replacement of historically significant doors shall require Commission approval.
4. Repair/replacement/installation of windows at historic mill properties recognized as local landmarks when the new windows are sized and configured to match the historic wood windows, typically double hung sash windows, and are aluminum frame with simulated divided lights and have mullion and frame profiles that are the best approximation of the historic windows.

G. Roofs:

1. Replacement of an asphalt shingle roof with standing seam or 5V metal roof in an appropriate color as determined by staff. Requests for Master Rib and other alternative metal roofing crimps or non-traditional colors shall require Commission approval.
2. Removal of non-historic rear elevation chimneys that are not visible from the front of the house and are not connected to an interior feature (such as a wood-burning stove or fireplace requiring ventilation through the chimney to be removed). Removal of functioning or historic chimneys, or chimneys on front or side elevations that would potentially alter the character of the building shall require Commission approval.
3. Repair or replacement in kind of missing portions of existing chimneys.

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H. Porches, Entrances, and Balconies:

1. New steps, not to exceed seven risers, that are made of wood, brick, stone, or other natural materials and are located in front of a house or primary building and do not conceal a historic porch, entrance, or balcony.
2. New steps located behind the front line of a house or primary building made of brick, stone, wood, or other natural materials and do not conceal a historic porch, entrance, or balcony. Concrete is an acceptable material for steps for Landmark properties. Black steel steps are also an appropriate replacement material for side and rear egress staircases for multi-story commercial or multifamily buildings in the District.
3. Replacement of, alteration to, addition to, or removal of existing stairs and steps that are located behind the front line of the structure and are not historically significant. Natural materials shall be replaced in kind, and artificial materials shall be replaced with natural materials appropriate to the house or primary structure. Concrete is an acceptable material for steps for Landmark properties. Black steel steps are also an appropriate replacement material for side and rear egress staircases for multi-story commercial or multifamily buildings in the District.

I. Accessibility and Life Safety Considerations:

1. Installation/alteration/replacement of handrails on existing steps, porches, decks, and stairs. New or replacement railings shall be wood or metal only and shall be compatible in design, scale, finish, and material with the building to the greatest extent possible.
2. Removal of existing railings that are not historically significant to a structure as determined by staff and are not required for ADA accessibility.
3. Installation, alteration, or removal of black wrought iron guardrails not exceeding 48 inches in height that are required for non-residential buildings or sites to meet ADA requirements. Railing designs must match those installed by the Town along Churton Street and be approved by the Town Public Space Manager prior to being constructed. Any major deviation in design, material, or color from the Town's Churton Street railings and any height above 48" tall shall require Commission approval.

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J. Utilities and Energy Retrofit:

1. Installation of foundation vents on side and rear only, soffit and roof vents, gable end vents, replacement of wood access doors, and installation of foundation access doors that cannot be easily seen from the street.
2. Installation of mechanical equipment, including, but not limited to such items as heating and air conditioning units or generators, that are screened from general public view (required setbacks must be met).
3. Reinstallation of above ground fuel tanks (propane, oil, etc.) for residential use when not located in the Number 1 fire district, not located in a front yard, and screened from general public view using a wood privacy fence and/or evergreen plantings. New installations of these tanks must also comply with all conditions of the NC State Building Code.
4. Installation or alteration of full-lite storm doors and storm windows made of wood or metal with clear glass windows. Aluminum storm doors are not permitted to be placed on structures that were constructed prior to 1945.
5. Commercial, full-lite storm doors made of wood or metal that do not conceal an existing storefront door and sit within the depth of the original door jamb. Storm doors that would conceal an existing storefront door or that would extend beyond the existing door jamb shall require Commission approval.
6. Installation of awnings, canopies, and operable shutters matching the width of the windows, provided that materials are compatible with the district and do not obscure or conceal significant architectural features of a structure.
7. Installation/alteration/removal of low profile, photovoltaic, solar panels, skylights, ventilators, or mechanical equipment that are placed on roof slopes that are not visible from public right-of-way, screened from view of adjacent properties, or are located on non-character-defining elevations and do not compromise the architectural integrity of a building. Solar panels and mechanical equipment proposed to be located in a yard which fronts on a public or private street shall require Commission approval.
8. Installation/alteration/removal of communications equipment (excluding antennae that are exempt under the Exempt Works list) that are less than 6 feet in height and are placed on roof slopes or non-character-defining elevations that are screened from view of adjacent properties and the general public and are placed in locations that do not conceal or compromise the integrity of the architectural features of a structure. Requests to locate such equipment in a front yard or on a character-defining elevation of a building shall require Commission approval.

K. Outbuildings and Garages:

1. Replacement of missing, damaged, or deteriorated residential garage doors with solid wood, steel, fiberglass, or aluminum garage doors that are appropriate in design, scale, and material to the existing garage building, and which do not have material overlays with false wood grain appearance that create a false representation of the underlying material.
2. Replacement of overhead doors on commercial, industrial, or institutional properties when the replacement materials are appropriate to the district and where the design, scale, and material are appropriate to the design of the building and the historic district as determined by staff.

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L. Storefronts:

1. Removal of inappropriate or conjectural architectural features, such as faux facades or decorative door trim, that were added to a historic façade and which conceal the original architectural features of a historic commercial building. Removal of such features shall require either repair or restoration of the underlying, original features that they concealed. Photographic or expert proof shall be provided to staff to verify the original condition of the feature being restored or repaired.

II. Construction and Additions

A. New Construction of Primary Buildings:

1. All new primary building construction shall be reviewed and approved by the Commission.

B. New Construction of Outbuildings and Garages:

1. Construction of detached accessory buildings, excluding accessory dwellings, that are less than 144 square feet in area and are located in the rear of historic properties and are not at all visible from the public right-of-way. The only approved material for the accessory building columns, siding, trim, fascia, railings, steps, and/or beams shall be wood, the doors and/or windows shall be wood or aluminum-clad wood only, and the roofing material shall be 5V or standing seam metal or asphalt shingles in a color matching the primary structure's roof as closely as possible. The peak of the accessory building roof shall not exceed 12 feet in height from ground level, and the location shall meet all applicable setbacks for the property. Finally, each side of the proposed accessory building shall have windows with muntin configurations matching a window located on the primary structure, scaled appropriately to the size of the accessory building.

C. Additions to Existing Buildings:

1. Conversion of existing decks that are less than 400 square feet in area to screened porches that are located in the rear of historic properties and are not visible or are screened from the public right-of-way. The only approved material for the screened porch columns, siding, trim, fascia, railings, steps, and/or beams shall be wood, and the screening shall be standard metal or fiberglass mesh screen, with wood or aluminum-clad wood doors and/or windows, and roofing material to be 5V or standing seam metal or asphalt shingles in a color matching the primary structure's roof as closely as possible. Finally, the peak of the screened porch roof shall not extend above the existing house. Any proposed design details or materials that do not meet these standards shall require Commission approval.

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D. Decks:

1. Alteration/addition to/removal of existing decks that are less than 4 feet tall and are located behind the front line of the house. For additions to existing decks, the total combined square footage of the original deck with the addition shall not exceed 400 square feet. Decks shall not be visible from the street, or they shall be screened from view with evergreen plantings proportional in height to the height of the deck, including any railings, at the time of planting to provide adequate screening.
2. Construction of new decks made of wood that are less than 4 feet tall and are located behind the front line of the house and are less than 400 square feet. Decks shall not be visible from the street, or they shall be screened from view with evergreen plantings proportional in height to the height of the deck, including any railings, at the time of planting to provide adequate screening.

VII. Historic District Setting

A. Site Features and Plantings:

1. Construction of patios made of wood, natural stone, or brick that are located behind the front line of the structure and are smaller than 400 square feet for historic properties or 3000 square feet for historic mill properties recognized as local Landmarks. Patios shall be located and designed in a manner to retain as much of the existing site features, plantings, and topography as possible.
2. Removal of existing patios that are located behind the front line of the house and are less than 144 square feet if they are not visible from the street.
3. Alterations or additions to existing patios located behind the front line of a house or building, provided that the total square footage does not exceed 400 square feet and the materials match those existing as closely as possible in both color and composition.
4. A single metal flagpole not exceeding 25 feet in height from ground level, or a single flagpole base made of metal, concrete, stone, brick, or other natural materials and not to exceed 25 square feet in area.
5. Construction of "Little Free Libraries" in the front, side, or rear yard located outside of the public right-of-way and are painted or stained a single muted color, are constructed of wood or metal only, and are mounted on a single wood post painted or stained to match the color of the box, with total height not to exceed six feet from ground to top of the box and dimensions of the box not to exceed two feet in length, width, or height. The handles/knobs shall be made of wood or metal only and the front window shall be limited to plexiglass or a similar safety glass product. Roofing materials shall be limited to wood or metal. Any proposed deviation in design or materials from these standards requires a Certificate of Appropriateness.

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- 6.** Installation of wood or metal garden trellises or arbors not exceeding eight feet in height that are located behind the front line of the house.
- 7.** Removal of any deciduous trees that are 24" DBH (diameter at breast height: 4 - 4.5' above ground) or smaller, or any evergreen trees that are smaller than 30" DBH, where a circumferential measurement of all trunks and stems of the same tree divided by pi (3.14) shall be used to calculate the diameter. A replacement tree shall be planted on site for each tree over 12" DBH to be removed unless staff determines that site conditions prohibit such a planting. Replanted trees shall be of a similar species and similar size at maturity to the tree(s) to be removed. Removal of healthy deciduous trees greater than 24" DBH, healthy evergreen trees over 30" DBH, healthy front yard or historic foundation plantings, healthy front yard or historic hedges, or extensive landscaped areas that are visible from the street requires Commission approval.
- 8.** Removal of mature single, multi-stem, or multi-trunk deciduous trees 25" in diameter or larger or evergreen trees 30" in diameter or larger, using a circumferential measurement of all trunks or stems of the same tree divided by pi (3.14) to calculate the diameter at breast height (measured at 4-4.5 feet above the ground), that have been severely damaged due to extreme weather or need to be removed due to severe disease or deterioration of the tree. A letter from an ISA-certified arborist must be submitted to staff to verify the deterioration of the tree and its need for removal. Removal of healthy single, multi-stem or multi-trunk deciduous trees 25" in diameter or larger at breast height or healthy evergreen trees over 30" DBH requires Commission approval. Staff will require a replacement tree planting for each tree to be removed that will grow to similar size and species at maturity unless staff determines that site conditions prohibit such a planting.
- 9.** Removal of trees of any size if Town staff determines through field verification that the trees pose a clear and immediate threat to safety or are clearly dead or dying. Staff will require a replacement tree planting for each tree to be removed that will grow to similar size and species at maturity unless staff determines that site conditions prohibit such a planting.
- 10.** Installation of temporary handicapped ramps constructed of wood. Such ramps must be removed when they are no longer necessary to ease the difficulties related to accessibility due to physical disability or limitations.
- 11.** Installation/alteration/removal of temporary features that are necessary to ease difficulties associated with a medical condition.
- 12.** Grading of a lot for stormwater control and soil stabilization, including adding swales, French drains, or other drainage features. Any proposed tree removal shall be submitted to staff for review as a part of the application, and any tree removal resulting from the grading work resulting in removal of healthy single, multi-stem or multi-trunk deciduous trees 25" diameter or larger at breast height or healthy evergreen trees over 30" DBH shall require Commission approval. A tree of similar size and species at maturity shall be replanted for each tree over 12" dBh permitted to be removed. Soil shall be seeded and/or re-planted with native vegetation after the grading work is completed.

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B. Fences and Walls:

1. Installation of fences located behind the front line of the structure that are made of wood or wood with welded wire and are picket, post and rail, or privacy in style. Privacy fences may be no taller than six feet, but garden enclosures may extend to seven feet only if the final foot is wire. Fences made of wood post and welded wire must include a top and bottom rail. Picket and post and rail fences may be no taller than four feet. Wood privacy fences five feet or less in height may have an additional one foot of square-patterned wood lattice on top, but the total fence height shall not exceed six feet measured from ground level. Split rail fences are not allowed under this minor works.
2. Removal or replacement of existing fences that are not historically significant, as determined by staff, and are no taller than 6 feet. Replacement fences shall be wood or wood with welded wire meeting the design requirements in B.1. above. Replacement of existing non-historic fences with any other material besides wood or wood with welded wire requires full Commission approval.
3. Construction of new walls made of wood, natural stone, brick, parged masonry block with rowlock or basket weave brick cap, poured concrete wall with rowlock or basket weave brick cap, or masonry block faced and capped with brick that are no taller than 4 feet and are located behind the front line of the structure. Use of any other materials, including synthetic materials, for walls requires full Commission approval.
4. Removal or replacement of existing walls that are not historically significant, as determined by staff, and are no taller than 4 feet. Replacement walls shall be made of wood, natural stone, brick, parged masonry block with rowlock or basket weave brick cap, poured concrete wall with rowlock or basket weave brick cap, or masonry block faced and capped with brick. Use of any other materials, including synthetic materials, for replacement walls requires full Commission approval.
5. Pet enclosures of any non-opaque wood or metal fencing material that are not attached to the house, enclose less than 25% of the lot, and are located behind the rear line of the house.

C. Walkways, Driveways, and Off-Street Parking:

1. New or replacement natural stone, gravel, concrete, asphalt, or brick walkways. For replacement of historic stone or brick walkways, the original materials must be repaired and/or replaced in kind. Existing dirt or gravel walkways may be replaced with concrete, brick, natural stone or asphalt paving, provided the width does not exceed five feet on historic properties. For Landmark properties, new or replacement sidewalks may not exceed eight feet in width without Commission approval.
2. Replacement of existing dirt, crushed stone, gravel, concrete, brick, asphalt, or natural stone driveways and off-street parking areas with concrete, brick, asphalt, or natural stone. The use of other natural or synthetic materials as replacement surface materials requires Commission approval.
3. Minor alterations to existing private drives and public streets such as maintenance grading, resurfacing, re-alignment, and the repair of existing driveway surfaces.

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D. Public Rights-of-Way:

1. Removal, replacement, and installation of streetscape amenities proposed by the Town of Hillsborough Public Space Division including but not limited to street furniture, bus shelters, planters, signage, waste receptacles, benches, bicycle racks, pavers, and railings that are very similar or identical in design to amenities previously approved by the HDC and are located on Town property or within public rights-of-way.
2. Installation, alteration, or removal of affixed commercial street furniture with screening demarcations that are a) between 3 and 4 feet tall, b) made of wood, stone, concrete, brick, glass and/or metal, and c) meet all Town Code requirements. All design proposals shall include a full-color, scaled architectural elevation of the front of the building showing the proposed seating areas with the designs as they will look from the street at grade once constructed. Each proposed demarcation design must provide a minimum of 50% transparency to maintain the visibility of the building, and the subtle use of greenery in addition to any hardscaping is encouraged to enhance the streetscape. Any proposal not meeting these standards shall require Commission approval.
3. Installation of new or replacement utility poles and street lights in the public right-of-way. The poles shall be either wood or metal, and the maximum height above grade including the light fixtures shall not exceed 25 feet. Any proposed utility pole height exceeding 25 feet shall require Commission approval.

E. Archaeological Features:

1. Any proposed change to, disturbance of, or removal of archaeological features shall require Commission review and approval.

F. Exterior Lighting:

1. Installation, alteration, or removal of exterior commercial light fixtures, including security and egress lighting required by building or fire code, that are made of metal hung in traditional locations that do not compromise the architectural integrity of a building. The design and location of all lighting proposed shall be submitted to and approved by staff prior to approval for installation and shall meet all regulations in Section 6.11 of the Unified Development Ordinance.
2. Installation, alteration, or removal of exterior residential light fixtures that are made of wood or metal and hung in traditional locations that do not compromise the architectural integrity of a building. The design and location of all lighting proposed shall be submitted to and approved by staff prior to approval for installation.
3. Installation of metal light fixtures on painted or stained wood or metal poles on private property that are installed in traditional locations for the district and do not exceed eight feet in height measured at ground level. This is not intended to apply to lights installed within the public right-of-way.

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G. Signage:

- 1.** Commercial projecting and hanging wall signage of painted, torched, or sandblasted wood or durable non-printed metal construction that complies with the requirements of the Unified Development Ordinance regarding size and location. Signs must also be installed in traditional locations in such a way as to not damage or conceal architectural features or details on a historic building or property. Historic mill properties recognized as local landmarks may have campus, wayfinding, suite, or tenant signage that complies with the requirements of the Unified Development Ordinance and is made of durable printed or painted metal at least 0.10" thickness (or its gauge or metric equivalent) or painted wood. All signs must be hung either parallel or perpendicular to building face. Printed metal signage shall not be permitted for projecting wall signage. No plastic, vinyl, plywood, composite materials, or other incompatible or synthetic materials (including Dibond, Alumaticore, Alumaticore, Alumaticore, etc.) shall be permitted for any portion of the sign.
- 2.** Installation of campus, suite, tenant, or wayfinding signage at historic mill properties recognized as local landmarks that complies with the requirements of the Unified Development Ordinance and is made of durable printed or painted metal at least 0.10" thickness (or its gauge or metric equivalent) or painted or sandblasted wood. All signs must be hung either parallel or perpendicular to building face. No plastic, vinyl, plywood, composite materials, or other incompatible or synthetic materials (including Dibond, Alumaticore, Alumaticore, Alumaticore, etc.) shall be permitted for any portion of the sign.
- 3.** Wall signage of painted, torched, or sandblasted wood or durable printed or non-printed metal construction that complies with the requirements of the Unified Development Ordinance regarding size and location and is mounted flush against a building façade and is installed in traditional locations in such a way as to not damage or conceal architectural features or details on historic structures. Printed metal signage, if used, shall have a minimum 0.10" thickness (or its gauge or metric equivalent). No plastic, vinyl, plywood, composite materials, or other incompatible or synthetic materials (including Dibond, Alumaticore, Alumaticore, Alumaticore, etc.) shall be permitted for any portion of the sign.
- 4.** Installation of freestanding signs meeting the size and location requirements in Section 6.18 of the Unified Development Ordinance. Signs shall either be made of painted, torched, or sandblasted solid wood or durable non-printed metal construction (metal with a minimum 0.10" thickness or its gauge or metric equivalent) and suspended between two posts, poles, or columns of equal height or hanging from a single post or pole. Monument signs shall only be permitted to be installed above a monument base without side posts or columns with Commission approval. Posts, when used, shall be solid wood, painted white. Poles, when used, shall be only steel or wrought iron and painted black or white only. Columns, when used, shall be constructed of stucco; unpainted solid brick; natural solid stone; stained, painted, or natural solid wood, or a combination of no more than two of the preceding materials as approved by staff. Hollow core columns and veneers shall not be permitted for brick, wood, or stone columns. Final colors chosen for stains or paints are to be submitted to staff for approval along with the minor works application for the sign. No plastic, vinyl, plywood, composite materials, or other incompatible or synthetic materials (including Dibond, Alumaticore, Alumaticore, Alumaticore, etc.) shall be permitted for any portion of the sign, nor shall any printed metal construction be permitted for this type of signage. Any deviations in design or materials from these standards shall require Commission approval.

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VIII. Relocation and Demolition

A. Relocation of Existing Buildings:

1. Relocation of existing accessory structures that do not fall within the period of historic significance from a side or rear yard location to a different side or rear yard location on the same property. Structures proposed to be relocated shall be less than 144 square feet in area and shall require zoning approval. Structures proposed to be relocated that do not meet these criteria shall require Commission approval.

B. Demolition of Existing Buildings:

1. Demolition of existing accessory structures or buildings that are not architecturally or historically significant and are less than 144 square feet in area for a district property or 1,500 square feet in area for historic mill properties recognized as local Landmarks. Demolition of primary buildings or those not meeting these criteria require Commission approval.

IX. Existing Certificates of Appropriateness

A. Changes to Approved Certificates of Appropriateness:

1. Changes to previously-approved Certificates of Appropriateness deemed by staff not to be substantial.

2. Exterior changes to buildings or sites within the historic district or on local landmark properties that are deemed by staff to clearly be minor in nature, such as slight variations on existing minor works and other types of minor exterior changes, including items such as replacement of synthetic materials on building features when replaced with wood or metal in the same configuration as the feature being replaced, and other items for which there have historically been consistent, recurring approval by the Historic District Commission. Staff will refer minor work proposals to the Historic District Commission for review if the changes proposed involve alterations, additions, or removal of features that will, in staff's determination based on the Design Guidelines, significantly alter the character or setting of a building or site, do not meet intent of the Design Guidelines, or are of a precedent-setting nature in the District.

B. Renewal of Approved Certificates of Appropriateness:

1. Renewal of expired Certificates of Appropriateness, provided there are no changes from the originally-approved plans and no substantial changes in any applicable regulations or in the surrounding built environment in the last 12 months that would affect the original approval.

Historic District Commission Rules of Procedure

15.0 Design Guidelines

In 2000, the Town adopted the Hillsborough Historic District Design Guidelines, which is designed as an interpretive document for the Standards of Evaluation listed in Section 3.12.3 of the Unified Development Ordinance. Applications for Certificates of Appropriateness will be weighed for compatibility against the Hillsborough Historic District Design Guidelines. Applications for changes to Landmark properties will be evaluated against the Secretary of the Interior Standards for Rehabilitation. The following topics are covered by specific design guidelines and are hereby listed and incorporated into this document as a part of the Rules of Procedure.

1. Changes to Existing Building Exteriors
 - a) Masonry
 - b) Wood
 - c) Architectural Metals
 - d) Paint and Exterior Colors
 - e) Exterior Walls
 - f) Windows and Doors
 - g) Roofs
 - h) Porches, Entrances, and Balconies
 - i) Accessibility and Life Safety Considerations
 - j) Utilities and Energy Retrofit
 - k) Outbuildings and Garages
 - l) Storefronts

2. New Construction and Additions
 - a) New Construction of Primary Buildings
 - b) New Construction of Outbuildings and Garages
 - c) Additions to Existing Buildings
 - d) Decks

3. Historic District Setting
 - a) Site Features and Plantings
 - b) Fences and Walls
 - c) Public Right-of-Way
 - d) Archaeological Features
 - e) Exterior Lighting
 - f) Signage
 - g) Art

4. Relocation and Demolition
 - a) Relocation of Existing Buildings
 - b) Demolition of Existing Buildings

Historic District Commission Rules of Procedure

15.1 *Amending the Design Guidelines.* Any member of the Commission wishing to propose an amendment to the Design Guidelines shall, at any regularly scheduled meeting, ask the Chairman if he or she will call for a motion and a vote to direct staff to research and draft said amendment. Upon a majority vote in favor in the presence of a quorum, staff shall prepare any amendments as directed by the Commission and shall consult with the Town attorney prior to presenting the amendments to the Commission for adoption. Upon review and approval of the language by the Town attorney, the Commission shall act upon the proposed amendment at its next regularly-scheduled meeting. A majority vote of the Commission in favor of adoption in the presence of a quorum shall pass the amendment.

16.0 Appeals Procedure (per Section 3.12.12 of the Unified Development Ordinance)

A decision of the Commission on an application for a Certificate of Appropriateness may be appealed on procedural grounds to the Board of Adjustment by an aggrieved party. Such an appeal shall be made within 30 days of the filing of the decision in the Planning Department or the delivery of the notice required in Section 3.12.11 of the Unified Development Ordinance, whichever is later.

17.0 Amendments to the Rules of Procedure

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than four members of the Commission, provided that such amendment shall first have been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote was taken.

Initially approved by the Commission on the 2nd day of December 1982.

Revised and readopted by the Commission the 6th day of December 2018.

Amended: November 7, 1989

June 6, 1990

July 18, 1990

March 20, 1991

January 15, 1992

July 17, 1996

Sept 5, 2007

July 3, 2013

August 6, 2014

November 5, 2014

January 7, 2015

November 1, 2017

April 4, 2018

May 2, 2018

August 22, 2018

December 6, 2018

Reid Highley

12/06/2018

Chairman, Historic District Commission

Date