

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

- MEETING DATE:** April 15, 2015
- SUBJECT:** Public Hearing - Draft Historic Landmark Ordinance and Design Guidelines
- PRESENTER:** Autumn Radcliff, Senior Planner
Christopher Todd, Planner
- ATTACHMENTS:**
1. Draft Historic Landmark Ordinance
 2. Draft Historic Landmark Design Guidelines
 3. Power Point Presentation

SUMMARY OF REQUEST:

At the request of the Historic Resource Commission (HRC), the Board of Commissioners asked staff to work with the HRC to develop and present a Draft Historic Landmark Ordinance and corresponding Design Guidelines in FY 2015. The purpose of the ordinance would be to allow for the creation and governance of historic landmarks within Henderson County through a voluntary program. The Design Guidelines, as required by state law, act as an assisting document to the ordinance detailing permitted property modifications.

Although the program participation is voluntary, properties must meet certain criteria to be selected through a quasi-judicial hearing by the Zoning Board of Adjustment and be approved by the Board of Commissioners. By law, adoption of this ordinance will allow the portions of properties approved for historic designation to be eligible for a 50% tax abatement. Property owners are subject to specific regulations and may leave the program upon request to planning staff. The applicant is required to pay back the abated taxes for the previous 3-year period if removed from the program.

The Henderson County Planning Board reviewed the final draft of the Historic Landmark Ordinance at its meeting on January 15, 2015 and voted unanimously to send forth a favorable recommendation to the Board of Commissioners.

PUBLIC NOTICE:

Before taking action, the Board of Commissioners must hold a public hearing. The public hearing was advertised in the Times News on Monday, April 6th, 2015.

BOARD ACTION REQUESTED:

After holding the required hearing, the Board of Commissioners may deny, approve or approve with modifications the draft Historic Landmark Ordinance and associated Design Guidelines. A suggested motion has been provided if the Board is in favor of this ordinance.

Suggested Motion:

I move the Board approve the Henderson County Historic Landmark Ordinance and associated Design Guidelines as discussed.

Chapter 49
Historic Resources, Preservation Of
Article I - Purpose and Definitions

[HISTORY: Adopted by the Board of Commissioners of Henderson County 10-3-2005, amended _____]

§ 49-1. Purpose.

The historical heritage of Henderson County is a valuable and important asset. By endeavoring to preserve historic sites and landmarks, Henderson County seeks:

- A. To safeguard the heritage of the County by preserving landmarks therein that embody important elements of its culture, history, architectural history, or prehistory; and
- B. To promote the use and conservation of such landmarks for the education, pleasure, and enrichment of the residents of the County and state as a whole.

§ 49-2. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. **Alteration.** Any change because of construction, repair, maintenance, or otherwise to buildings designated as an historic landmark.
- B. **Archaeological Resources.** Material evidence of past human activity which is found on or below the surface of the ground, portions of which may be visible above the surface.
- C. **Building.** Any structure, place, or other construction built for the shelter or enclosure of persons, animals, and/or chattels.
- D. **Board of Commissioners.** The Henderson County Board of Commissioners.
- E. **Certificate of appropriateness (COA).** A document evidencing approval of the Resources Commission for work proposed to an historical landmark by an applicant.
- F. **Construction.** The erection of any onsite improvements on any parcel of ground designated as an historic site or landmark, whether the site is presently improved, unimproved, or hereafter becomes unimproved by demolition, destruction of the improvements located thereon by fire, windstorm, or other casualty.
- G. **Demolition.** The complete or partial removal by an applicant of a building on any site.
- H. **Department of Cultural Resources.** North Carolina Historic Preservation Office.
- I. **Designation.** The creation of an historic property through the passage of an ordinance by the governing body.
- J. **Exterior features.** Includes the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material; the size and scale of the building; and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, exterior features shall be construed to mean the style, material, size, and location of all such signs. Exterior features may, in the discretion of the local governing board, include important landscape and natural features of the area.
- K. **Historic property.** Any site, landmark, structure, or artifact that of special significance in terms of its history, prehistory, architecture, archaeology and/or cultural importance to the history and development of Henderson County, and that it possesses integrity of design, setting, workmanship, materials, feeling and/or association.
- L. **Jurisdiction.** This shall apply in the unincorporated areas of Henderson County and in any municipality that adopts this Ordinance and its design guidelines.
- M. **Ordinary repairs and maintenance.** Work done on a building to prevent it from deterioration or to replace any part thereof in order to correct any deterioration, decay, or damage to a building on any part thereof in order to restore same as nearly as practical to its condition prior to such deterioration, decay or damage.
- N. **Resources Commission.** The Henderson County Historic Resources Commission (HRC).

Article II - Historic Resources Commission**§ 49-3. Historic Resources Commission Established; Appointment; Terms and Qualifications of Members.**

- A. Creation. There is hereby established, by authority of Chapter 160A, Article 19, Part 3C, of the North Carolina General Statutes, a joint historic Resources commission to be known as the Henderson County Historic Resources Commission ("HRC"). The Commission shall consist of not fewer than four and not more than nine members appointed by the Board of Commissioners as provided below.
- B. Appointment. In making appointments to the HRC, the Board of Commissioners shall appoint four members who do not reside in any municipality which adopts this chapter and one member who resides within the territorial limits of each municipality which adopts this chapter. For each municipality which adopts this chapter, the Board of Commissioners shall appoint the member who is required to reside in such municipality recommended by each municipality. At the time of original appointments to the HRC, Henderson County staff shall assign each of the seats initially to a term of one, two or three years. Subsequent appointments of each of the seats on the HRC shall be for a term of three years, so that after the expiration of initial appointments, the term of each HRC member shall be for three years, with the terms of approximately one-third of the membership of the HRC expiring each year.
- C. Qualification of members. Each of the members of the Commission shall have demonstrated experience, education or interest in history, architecture, archaeology, or related fields.

§ 49-4. Powers and Duties of the Historic Resources Commission.

The HRC is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this chapter and the North Carolina General Statutes, including but not limited to the following:

- A. Undertake an inventory of properties of historical, prehistoric, landscape, architectural, archaeological, and/or cultural significance.
- B. Recommend to the County individual buildings, structures, sites, areas, landscapes or objects within the respective zoning jurisdiction to be designated as "historic landmarks."
- C. Recommend to the County proposed ordinances regarding historic landmarks, and amendments to the same, as requested by the Board of Commissioners.
- D. Recommend to the County that designation of any building, structure, site, landscapes, area, or object as a historic landmark, be revoked or removed for cause.
- E. Review and recommend proposals for alteration or demolition of designated landmarks, pursuant to this chapter.
- F. Report violations of this chapter, or other ordinances affecting historic landmarks, to the Planning Department.
- G. Act as, establish, or designate a group, body, or committee to give advice to owners of historic landmarks concerning the treatment of the historical and visual characteristics of their property, such as gardens and landscape features, minor decorative elements, and for the informal review of major additions and new construction.
- H. Conduct educational and outreach programs on historic landmarks within the county.
- I. Publish information, or otherwise inform the public, about any matters pertinent to its purview, duties, organization, procedures, responsibilities, functions, or requirements.
- J. Cooperate with state, federal and local governments in pursuing the purposes of this chapter.

- K. Communicate with other boards or commissions in Henderson County or with agencies of the County or other governmental units to offer or request assistance, aid, guidance, or advice concerning matters under its purview or of mutual interest.
- L. Prepare and recommend the official adoption of a historic preservation element as part of the County's comprehensive plan and a municipality's comprehensive plan, at the request of the local governing body.
- M. Organize itself and conduct its business, including any meetings or hearings necessary to carry out the purposes of this chapter.
- N. Submit an annual report to the state historic preservation office and to the County Board of Commissioners. That report shall include a comprehensive review of the HRC's activities, actions and problems.
- O. Research and apply for grants from other governmental and non-governmental sources for historic preservation.
- P. Collaborate with the Tourism Department, Chamber of Commerce, Heritage Museum, and other local entities supporting tourism or historic preservation in Henderson County.

Article III Historic Properties Designation

§49-5. Participation in Historic Landmark Program

- A. Voluntary Participation. This program is entirely voluntary and participants may opt in or opt out of the program at any time. To opt-in to the program, applicants must complete the procedure below. To opt-out of the program, participants must provide written notice to the Planning Department and Tax Department.
- B. Criteria for Historic Landmarks. No property shall be recommended for designation unless it is deemed to be of historical, prehistorical, architectural, or cultural importance. It must also possess integrity of design, setting, workmanship and/or materials. The following shall be considerations for selection:
 - 1) Property is at least 100 years old, and
 - 2) Property owner agrees to terms and conditions for designation as Historic Landmark, and
 - 3) Property is associated with historic events that have shaped Henderson County, or
 - 4) Property is tied to the lives of persons who influenced the economic, social, educational, or cultural conditions of Henderson County, or
 - 5) Property features distinct architectural style, method of construction, high artistic values, or represents the work of a master architect or builder, or
 - 6) Property represents the full spectrum of historic property types in the County including but not limited to, residences, commercial buildings, churches, farmsteads, engineering features or parks, or
 - 7) Property yields or is likely to yield information important to the understanding of the history or prehistory of Henderson County; and
 - 8) Property has been accepted onto the State Historic Study list, signifying that it is considered possibly eligible for nomination to the National Register of Historic Places.
- C. The following are possible incentives for participation in the historic property designation program. The availability of particular incentives depends on financial and personnel resources and shall be determined by the Board of Commissioners.
 - 1) Technical assistance - the HRC may hold workshops on historic preservation, and compile a list of grant programs, preservation societies, and other useful resources for people interested in historic preservation.
 - 2) Promotional - the HRC may provide participants with recognition plaques, collaborate with Tourism Department, Chamber and Heritage Museum to schedule possible tours or promotional materials with listings of historic sites in Henderson County.
 - 3) No Fee required to submit an application to the HRC after the property is designated.

- 4) Provide information regarding possible grants for rehab - HRC may apply for grants and research funds for rehab or aid property owners with needed repairs.
 - 5) The HRC may assist the property owner with the report that is required to receive the federal tax incentive and be placed on the National Historic Registry of Historic Places.
 - 6) Property Tax Incentive based on N.C.G.S. 105-278.
- D. The designation must be specific only to the area of historic significance and any area deemed historic must be proven so with objective evidence to support the determination. The order will clearly describe the designated area.

§49-6. Procedure for Designating Historic Landmarks

- A. Application by Property Owner. Property Owners shall complete an application and return to the Planning Department who will disseminate it to the HRC. An application must be filed at least 30 days prior to the HRC's regularly scheduled meeting.
- B. Recommendation by HRC. The HRC shall make, or cause to be made, an investigation and report on the historic, architectural, pre-historical, educational, or cultural significance of each building, structure, site, area or object proposed for designation. They shall evaluate the information presented and give a recommendation that will be presented to the Zoning Board of Adjustment as part of the record for the quasi-judicial proceeding.
- C. Review by State Department of Cultural Resources Historic Preservation Office. The HRC's report will be sent to the State Department of Cultural Resources Historic Preservation Office who will have 45 days following receipt of the report to review and provide written comments upon the substance and effect of the designation. These written comments shall be included in the evidence before the Zoning Board of Adjustment.
- D. Quasi-judicial proceeding before Zoning Board of Adjustment (ZBA). The ZBA shall review all relevant information and hear testimony from interested parties in a quasi-judicial proceeding.
 - i. Newspaper Notice. Notice of the hearing (if required) shall be published in a newspaper of general circulation in the County at least once. The notice shall be published at least ten (10) but not more than twenty-five (25) days prior to the date fixed for the hearing.
 - ii. Mailed Notice. Written notice of the hearing (if required) shall be mailed to all owners and occupants of properties at least ten (10) but not more than twenty-five (25) days prior to the date fixed for the hearing.
 - iii. Order. The order shall describe each property designated, the name or names of the owner or owners of the property, those elements of the property that are integral to its historical, architectural or prehistorical value and a waiting period prior to any structural demolition on the site. An entire parcel, including land and any structures will not be designated unless an explicit explanation of the whole parcel's historic significance is provided at the time of designation. Each order must specify what the historic components of the designated property are and only those will be subject to this Ordinance and receive any benefit under N.C.G.S. 105-278.
- E. Approval by Board of Commissioners of Historic Landmark Designation Order.
 - (1) Approval. The Board of Commissioners shall review the order prepared by the Zoning Board of Adjustment, any relevant evidence, the report by the HRC and the comments from the Department of Cultural Resources Historic Preservation Office in making its decision.
 - (2) The Board of Commissioners may hold a public hearing regarding the application.
- F. Recording and Notice of Historic Designation.
 - (1) Written notice of designation shall be provided to owners and occupants of each approved landmark.
 - (2) Copies of the designation shall be recorded with the County Register of Deeds.
 - (3) Notice of the designation shall be provided to the Clerk and to the Board of Commissioners.

- (4) A suitable sign for each property may be placed on the property with the owner's consent and must adhere to the Land Development Code sign requirements.

§49-7. Certificate of Appropriateness

- A. Once a property is designated, it must receive a certificate of appropriateness for certain exterior modifications, alterations, or additions to the historic landmark.
- B. Such a certificate is required to be issued by the ZBA, after review by the HRC, prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures, which certificate may be issued subject to reasonable conditions necessary to carry out the purposes of this article. A Certificate of Appropriateness shall be required whether or not a building or other permit is required.
- C. Minor works, as defined below, may be administratively approved and these decisions may be appealed to Superior Court.
- D. Applications for a certificate of appropriateness shall be obtained from and, when completed, filed with the Planning Department and filed at least 30 days prior to a regularly scheduled meeting of the ZBA.
- E. Each application shall be accompanied by sketches, drawings, photographs, specifications, descriptions and other information of sufficient detail to clearly show the proposed exterior alterations, additions, changes or new construction. The names and mailing addresses of property owners filing and/or subject to the application must also be filed. No application which does not include the aforementioned information will be accepted.

§49-8. Standard for appropriate change

The County shall take no action under this article except to prevent the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant features, outdoor advertising signs or other significant features which would be incongruous with the special character of the historic landmark. Changes must comply with the Henderson County historic properties design guidelines.

§49-9. Certain changes not prohibited

Nothing in this article shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature on a landmark which does not involve a change in design, materials, or outward appearance thereof; the ordinary maintenance or repair of streets, sidewalks, pavement markings, street signs, or traffic signs; [or] the construction, reconstruction, alteration, restoration or demolition of any such feature which the building inspector shall certify is required by the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent the maintenance or, in the event of an emergency, the immediate restoration, of any existing above-ground utility or structure without approval by the ZBA.

§49-10. Routine Maintenance, Minor Improvements & Major Modifications

- A. Routine Maintenance: The following activities are routine maintenance and do not require a certificate of appropriateness.
 - (1) Interior work or painting.
 - (2) Replacement of window glass and sash, as long as window size, style, and material are not altered.
 - (3) Caulking and weather-stripping.
 - (4) Landscape maintenance.
 - (5) Real estate and political signs.
 - (6) Repairs to walks, patios, fences, and driveways as long as replacement materials match the existing materials.
 - (7) Replacement of small amounts (50% or less) of missing or deteriorated siding, trim, roof shingles, porch flooring, steps, gutters and downspouts, etc., as long as the replacement materials match the existing materials.

- B. Minor Improvements: Minor improvements to structures require a certificate of appropriateness. Minor modifications, listed below, may be administratively approved by the Planning Department.
- (1) Installation of storm windows and doors .
 - (2) Side- and rear-yard fences and walls not facing a public street.
 - (3) Installation of exterior mechanical equipment such as roof fans, heat pumps, and air compressors.
 - (4) Repairs to walls, patios, fences, and driveways as long as replacement matches what presently exists.
 - (5) Repairs to vents and access doors of foundation.
 - (6) Replacement of exterior stairs, landings, and steps.
 - (7) Replacement of large amounts (more than 50%) of missing or deteriorated siding, trim, porch floors, windows, and gutters or architectural details where there is no change in materials and design of original.
 - (8) Re-pointing and other masonry repairs.
 - (9) Exterior lighting fixtures.
 - (10) Removal of asbestos or other artificial siding.
 - (11) New roof coverings using shingles appropriate to the original.
 - (12) Installation of satellite dishes.
 - (13) Exterior paint removal.
- C. Major Modifications: Major modifications listed below require certificate of appropriateness approved by the ZBA after review and recommendation by the HRC.
- (1) Exterior changes including types or styles of windows, doors, porches, decks, roofs, and lighting fixtures.
 - (2) Alterations in exterior architectural details.
 - (3) The installation on any structure, of vinyl or aluminum siding or of any siding different than the existing siding.
 - (4) The disturbance of designated archaeological sites.
 - (5) The construction of any addition to an existing structure, such as the addition of rooms, chimneys, porches, decks, ramps, solar panels, and skylights, or any new construction.
 - (6) The construction or placement of any outbuilding on the property, including carports, garages, utility sheds barns, silos, drying sheds, and bulk barns.
 - (7) Relocation of a primary structure.
 - (8) The placement or construction of any yard fixtures such as lamp posts or other lighting fixtures, walkways, fences or walls, driveways, parking areas or the placement of any physical structure which could be considered ornamental.
 - (9) The demolition or removal of any structure, including outbuildings and yard fixtures.
 - (10) The installation of any permanent exterior sign measuring larger than three (3) square feet in area.
 - (11) Foundation repairs other than vents and access doors.

§49-11. Compliance Assessment

- A. Compliance with the terms of the Certificate of Appropriateness shall be enforced by the Planning Department. Failure to comply with the Certificate of Appropriateness shall be a violation of the zoning ordinance.
- B. In case any building, structure, site, area or object designated as a landmark is about to be demolished, whether as a result of deliberate neglect or otherwise, materially altered, remodeled, removed or destroyed, except in compliance with this article, the County Board of Commissioners, the municipal governing body, the HRC, or other party aggrieved by such action may institute any appropriate action or proceeding to prevent such unlawful demolition, destruction, material alteration, remodeling or removal, to restrain, correct or abate such violation, or to prevent any illegal act or conduct with respect to such a building or structure.

§49-12. Appeals

Appeals must be filed 30 days from the date of the decision. Decisions of the Zoning Board of Adjustment and the Board of Commissioners may be appealed to Superior Court.

§49-13. Relocation

The ZBA must issue a Certificate of Appropriateness for the move before any other necessary permits can be obtained. The HRC may provide a recommendation to the Zoning Board of Adjustment

- A. Proper documentation shall be made prior to relocation of a historic building, including documenting its original setting and context, photographs, site plans, other graphic materials, and/or written statements to record the existing site conditions as necessary.
- B. Contractors experienced in moving historic structures shall be enlisted to do the following:
 - (1) Determine the structural condition of the property.
 - (2) Coordinate with the utility companies and county and municipal departments.
 - (3) Protect the structure from vandalism or weather damage during the move.
 - (4) Minimize structural damage during the move.
- C. Relocation of a structure shall not diminish or damage existing historic landmark buildings.
- D. The HRC and ZBA shall be provided with a site plan for the proposed site features of the new setting, including information on accessory buildings, driveways, site lighting, and parking areas.

§49-14. Demolition

In considering a request for a certificate of appropriateness to demolish a structure within a historic landmark, the ZBA shall weigh the impact of the proposed demolition on the character of the historic landmark, as well as surrounding buildings.

- A. All alternatives to demolition shall be evaluated.
- B. Significant structure features shall be documented, including photographs and measured drawings completed to the standards established within the Historic American Buildings Survey.
- C. Prior to demolition, the property owner shall work to salvage usable architectural materials and features.
- D. There may be a delay in demolition of historic landmarks and buildings. The period of delay shall be reduced by the ZBA if it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return from such property. The waiting period for demolition must be established in the original designation order and cannot exceed 365 days.

§ 49-15. Through 49-50. (Reserved)

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Article I- Introduction

Historic landmarks in Henderson County are meant to preserve the heritage of the region by safeguarding our cultural, social, political, and architectural history. Conserving these landmarks of Henderson County will make certain that current and future generations have the opportunity to enjoy these sites for education, pleasure, and enrichment for years to come.

These design guidelines are meant to aid citizens within designated landmarks in proposing changes to their properties. The Historic Resources Commission (HRC) is charged with ensuring that these guidelines are a best fit for the character of each historic landmark, as well as maintaining a fair and equal review process for each citizen making application.

I-1 Historic Resources Commission

The Henderson County Historic Resources Commission was established in 2005 by the adoption of the Henderson County Historic Preservation Ordinance. Its mission is to serve the citizens of the County by adopting and applying regulations to protect and maintain the integrity of historic resources. The HRC is designed to assist property owners in planning alterations, changes, additions, or new construction and guides property owners through the process necessary to implement those changes.

The Historic Resources Commission consists of at least four (4) and no more than nine (9) regular members, all residents of Henderson County, appointed by the County Board of Commissioners. Each HRC member has a demonstrated special interest, education, or background in historic preservation that was determined to qualify them for appointment. The Commission is supported by County Planning Department Staff.

I-2 Henderson County Historic Landmarks

A Henderson County Historic Landmark is a property of special significance due to its historical character. The landmark is not strictly limited to residential areas. Land masses and easements of historical significance may also be characterized as a historic landmark.

Once designated as a landmark, the property is protected from unmanaged change through the Historic Preservation Ordinance and these guidelines. Minor improvements and major modifications require a Certificate of Appropriateness (COA) before permits may be requested and/or work begins on the property. Routine maintenance does not require a COA.

I-3 Certificate of Appropriateness

Once a property is designated a historic landmark, it must receive a Certificate of Appropriateness for certain exterior modifications, alterations, or additions to the historic landmark.

Such a certificate is required to be issued by the Zoning Board of Adjustment (ZBA), after review by the HRC, prior to the issuance of a building permit or other permit granted for the

purposes of constructing, altering, moving or demolishing structures, which certificate may be issued subject to reasonable conditions necessary to carry out the purposes of this article. A Certificate of Appropriateness shall be required whether or not a building or other permit is required.

Minor works, as defined below, may be administratively approved and these decisions may be appealed to Superior Court.

Applications for a certificate of appropriateness shall be obtained from and, when completed, filed with the Planning Department and filed at least 30 days prior to a regularly scheduled meeting of the ZBA.

Each application shall be accompanied by sketches, drawings, photographs, specifications, descriptions and other information of sufficient detail to clearly show the proposed exterior alterations, additions, changes or new construction. The names and mailing addresses of property owners filing and/or subject to the application must also be filed. No application which does not include the aforementioned information will be accepted.

I-4 Routine Maintenance, Minor Improvements, & Major Modifications

The following lists provide examples of the types of activities for which a Certificate of Appropriateness (COA) is and is not required, and provides guidance for administrative approval of COAs.

Routine Maintenance: The Historic Resources Commission considers the following activities to be routine maintenance of historic properties and do not require a COA. However, other County permits may be necessary.

- A. Interior work
- B. Interior painting
- C. Replacement of window glass and sash, as long as window size, style, and material are not altered.
- D. Caulking and weather-stripping
- E. Landscape maintenance, including the removal of dead/damaged plants, provided existing healthy trees and/or shrubs are not removed or severely pruned.
- F. Real estate and political signs
- G. Repairs to walks, patios, fences, and driveways as long as replacement materials match the existing materials.
- H. Replacement of small amounts (50%) of missing or deteriorated siding, trim, roof shingles, porch flooring, steps, gutters and downspouts, etc., as long as the replacement materials match the existing materials.

Minor Improvements: Minor improvements to structures require COAs. The following activities are considered by the Historic Resources Commission to be minor modifications, as long as they do not have a significant impact on the exterior of the historic structures. Henderson County staff will be responsible for the following types of work:

- A. Installation of storm windows and doors
- B. Side- and rear-yard fences and walls not facing a public street.
- C. Installation of exterior mechanical equipment such as roof fans, heat pumps, and air compressors,
- D. Repairs to walls, patios, fences, and driveways as long as replacement matches what presently exists.
- E. Repairs to vents and access doors of foundation.
- F. Replacement of exterior stairs, landings, and steps.
- G. Replacement of large amounts (50%) of missing or deteriorated siding, trim, porch floors, windows, and gutters or architectural details where there is no change in materials and design of original.
- H. Re-pointing and other masonry repairs
- I. Exterior lighting fixtures
- J. Removal of asbestos or other artificial siding
- K. New roof coverings using shingles from pre-approved list.
- L. Installation of satellite dishes.
- M. Exterior paint removal.

Major Modifications: Major modifications listed below require certificate of appropriateness approved by the ZBA after review and recommendation by the HRC.

- A. Exterior changes to the primary building or other structures on the property, not included in the normal maintenance or minor improvements list. Such changes include types or styles of windows, doors, porches, decks, roofs, lighting fixtures, and paint color.
- B. Alterations in exterior architectural details, such as additions or changes in style of porch railings, gutters, shutters, brackets, molding, gingerbread details/trim or other decorative work.
- C. The installation on any structure, of vinyl or aluminum siding or of any other siding of a different style or material than the existing siding.
- D. The disturbance of designated archaeological sites.
- E. The construction of any addition to an existing structure, such as the addition of rooms, chimneys, porches, decks, ramps, solar panels, and skylights, or any new construction.
- F. The construction or placement of any outbuilding on the property, including carports, garages, utility sheds, barns, silos, drying sheds, and bulk barns.
- G. Relocation of a primary structure
- H. The placement or construction of any yard fixtures such as lamp posts or other lighting fixtures, walkways, fences or walls, driveways, parking areas or the placement of any physical structure which could be considered ornamental.
- I. The demolition or removal of any structure, including outbuildings, yard fixtures or any part thereof.
- J. Parking lots
- K. The installation of any permanent exterior sign measuring larger than three (3) square

feet in area.

- L. Foundation repairs other than vents and access doors.

Article II- Setting & Site Features

II-1 Public Access

1. Preserve and maintain existing steps, walkways, parking lots, and pavement surfaces that contribute to the historical character of the site.
2. Preserve and retain steps, walkways, parking lots, and pavement by adequate maintenance:
 - a. Inspect regularly for signs of moisture damage, mildew, cracks, settlement, deterioration, and loosening.
 - b. Provide adequate drainage to prevent standing water.
 - c. Clean only when absolutely necessary to remove heavy soiling or prevent deterioration. Use the most unobtrusive methods possible.
 - d. Repaint painted steps, walkways, parking lots, and pavement surfaces only when absolutely necessary.
3. Repair and reconstruct only when absolutely necessary and according to appropriate guidelines found elsewhere in this text. Replacement shall be made only of those elements or features in need and shall be in keeping with the existing structure. Conformity to material, style, pattern, and proportion shall be required. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
4. Reconstruction of missing or highly deteriorated steps, walkways, parking lots, and pavement shall be in keeping with the original feature in material, style, pattern, and proportion. Accurate documentation shall be utilized to ensure the new design is in conformity with the character of the historic landmark. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
5. New or replacement steps, walkways, parking lots, and pavement shall be constructed in a location in keeping with the historical character of the site.
6. Painting of previously unpainted steps, walkways, parking lots, and pavement surfaces that were not painted historically shall not be permitted.
7. Accessory steps, walkways, parking lots, and pavement similar in appearance, material, and proportion, but stylistically anachronistic (out of place with the original era) with the character of the principal structure or other accessory structures in the landmark, shall not be permitted.
8. The addition of features or details to steps, walkways, parking lots, and pavement in an

effort to create a false historical appearance shall not be permitted.

9. Signage shall be limited to that absolutely necessary as required by local and State regulations for motor vehicle and pedestrian safety, and shall be located so as not to interfere with the character of the historic landmark.
10. Utility poles and structures in the rights-of-way shall be kept to a minimum. Seek alternatives and less intrusive locations wherever possible. Underground lines shall be a priority.

II-2 Fences & Walls

1. Preserve and maintain existing contributing fences and walls in historic landmarks. Supplemental elements to fences and walls, including gates, posts, hardware, and the like shall be held to the same parameter.
2. Preserve and retain fence and wall materials by adequate maintenance:
 - a. Inspect regularly for signs of moisture damage, corrosion, structural damage, settlement, and infestation.
 - b. Ensure appropriate drainage is available to prevent excessive moisture leading to rot and corrosion.
 - c. Fencing and walls should be kept free of heavy soiling and corrosion through the mildest means possible.
 - d. Maintain coating, including stain or paint, to ensure durability of materials.
 - e. Reapply coating whenever necessary to affected areas.
 - f. Follow the guidelines for masonry, architectural metals, and wood where applicable.
3. Repair and reconstruct fencing and walls using recognized preservation methods.
4. When replacing materials, replace only the affected portion of the feature in keeping with the structure as a whole. Conformity to material, style, pattern, and proportion shall be required. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
5. Reconstruction of missing or highly deteriorated fencing or walls shall be in keeping with the original feature in material, style, pattern, and proportion. Accurate documentation shall be utilized to ensure the new design is in conformity with the character of the historic landmark. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
6. Construction of new fences and walls shall be in keeping with the nature of the historic landmark. Installation shall occur only in locations and configurations found in the area.
7. Covering of historic fences and walls with contemporary materials or coatings shall not

be permitted.

8. Vinyl, chain-link fencing, and imitation stone shall not be permitted.

II-3 Light Fixtures

1. Preserve and maintain existing light fixtures integral to the historical character of the landmark. Preservation and maintenance shall be through the most appropriate method possible.
2. If replacement or installation of new light fixtures is necessary, protection and retention of historical features shall be a major priority. Replacement shall be in keeping with existing material, design, quantity, location, proportion, and brightness.
3. Light fixtures in residential landmarks shall be low-level lighting that can provide for safety without impeding on the historical character of the area.
4. Light fixtures shall be located so as not to intrude on adjacent property.
5. Indiscriminate area lighting, new security lightings, floodlights, and lighting on standard-height power poles shall not be permitted in historic landmarks, specifically in residential areas.
6. Light fixtures shall not be installed if they will detract from the historical character of the landmark.
7. Light fixtures shall not be installed at historic landmarks in an effort to create a false historical appearance.
8. Light fixtures that predate the principal structure of a site or are stylistically anachronistic shall not be permitted.

II-4 Garages & Accessory Structures

1. Preserve and maintain existing garages and accessory structures that contribute to the historical character of the site.
2. Preserve and maintain integral materials and details, including foundations, roofs, siding, masonry, windows, doors, and trim.
3. Repair and reconstruct only when absolutely necessary and according to appropriate guidelines found elsewhere in this text. Replacement shall be made only of those elements or features in need and shall be in keeping with the existing structure. Conformity to material, style, pattern, and proportion shall be required. Accurate documentation shall clearly distinguish the original fabric from more recent repairs or replacement.

4. Reconstruction of missing or highly deteriorated garages and accessory structures shall be in keeping with the original feature in material, style, pattern, and proportion. Accurate documentation shall be utilized to ensure the new design is in conformity with the character of the historic landmark. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
5. New or replacement garages and accessory buildings shall be constructed in a location in keeping with the historical character of the site.
6. Prefabricated accessory buildings shall not be permitted if not compatible in material, style, pattern, and proportion to the historical character of the area.
7. Accessory buildings similar in appearance, material, and proportion but stylistically anachronistic with the character of the principal structure or other accessory structures in the landmark shall not be permitted.
8. Garages and accessory structures shall not be permitted if they will detract from the historical character of the building or landmark, or other historical features located on the site.
9. The addition of features or details to a garage or accessory structure in effort to create a false historical appearance shall not be permitted.
10. Locate additions as inconspicuously as possible, on the rear or on the least character-defining elevation of historic landmarks.
11. Construct additions so that there is the least possible loss of historic fabric. Also, ensure that character-defining features of the historic landmarks are not obscured, damaged, or destroyed.
12. Limit the size and the scale of additions so that they do not visually overpower historic landmarks.
13. It is not appropriate to construct an addition that is taller than the original building.

II-5 Advertising Signs

1. Preserve and maintain existing advertising signs that contribute to the historic character of the site.
2. New or replacement signs shall be constructed in keeping with the historic character of the landmark and shall enhance the architectural character of the structure. Compatibility shall be determined by location, material, style, pattern, and proportion.
3. Commercial and institutional advertising signs shall be designed so as to be an integral feature of the building façade. Signage shall not cover a large portion of the building or architectural features.

4. New or replacement signs shall be easily read and straightforward. The sign shall be proportionally sized for the awning or window on which it is located and shall not obscure the view.
5. Identification signs and historic plaques for residential structures may be utilized if no features are adversely affected.
6. Plastic advertising signs shall not be permitted.
7. Affixed, flush signs shall be mounted so as not to adversely affect the building façade. Holes for fasteners on masonry buildings shall be installed in the mortar joints.
8. Freestanding signs shall be on low, ground bases and in appropriate locations.
9. Lighting of signs shall be in compliance with the Light Fixtures section of this text and all County regulations. In no case shall illuminated awnings be permitted on historic landmarks.

II-6 Landscapes

1. While landscape elements are dynamic as living systems, owners should maintain the landscaping in a manner that retains its original character and overall effect.
2. A radical change in the landscaping (e.g. conversion of a wooded lot to a grass lawn) shall not be permitted unless it can be demonstrated that the conversion enhances the architectural value of the landmark and can be shown to be in keeping with the original landscape design or character of the area.
3. When changes to the landscaping are proposed, give preference to alterations that either enhance the value of the standing architecture or preserve the character of the overall setting.
4. Prohibit proposed changes in landscaping that represent immediate or long-term threats to the structures or other elements of the landscaping.
5. When new plantings are proposed, use of those species of trees, shrubs, flowers, and grasses that would have been available at the time of the erection of the buildings will be encouraged; introduction of exotic species that would not have been available at the time of the original construction will be discouraged.
6. If the landscaping reflects a formal design by a known landscape architect, future modifications of the grounds should be in keeping with the original plan if it was judged to be a contributing factor in the historic landscape nomination.

7. If not in keeping with the historic landscaping, creation of personal gardens (vegetable, herb, flower, etc.) shall be installed so as to minimize visibility from the public right-of-way.

Article III- Building Exterior

III-1 Wood

1. Preserve and maintain existing wooden features and surfaces that contribute to the historical character of the site, including functional and decorative elements such as siding, shingles, cornices, architraves, brackets, pediments, columns, balustrades, and trim.
2. Preserve and retain wood surfaces and features by adequate maintenance:
 - a. Inspect regularly for signs of moisture damage, mildew, and infestation.
 - b. Provide adequate drainage to prevent standing water.
 - c. Wooden joints shall be properly sealed or caulked to prevent moisture penetration.
 - d. Historically unpainted, exposed wooden features shall be treated with chemical preservatives to prevent or slow decay.
 - e. Protective surface coating shall be maintained and repainted only when absolutely necessary.
 - f. Surfaces shall be cleaned by the most unobtrusive method possible.
3. Replacement of wood features shall be through recognized preservation methods.
4. Repair and reconstruct only those elements or features in need. Replacement shall be in keeping with the existing structure. Conformity to material, style, pattern, and proportion shall be required. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
5. Reconstruction of missing or highly deteriorated wood features shall be in keeping with the original structure in material, style, pattern, and proportion. Accurate documentation shall be utilized to ensure the new design is in conformity with the character of the historic landmark, and which documentation shall clearly distinguish the original fabric from more recent repairs or replacement.
6. Destructive cleaning methods including sandblasting, power washing, and torches shall not be permitted on wooden features and surfaces. Noninvasive methods such as low-pressure washing with detergents and natural bristle brushes should be utilized as the preferred cleaning method. Chemicals may be used only if previously mentioned methods are ineffective and absolutely necessary.
7. Historically painted surfaces shall not be stripped to bare wood in an effort to apply stain or finish to create a natural wood appearance.

8. Painted wooden siding that is sound shall not be replaced.
9. Replacement or covering of wooden siding, trim, or window sashes with contemporary materials shall not be permitted.
10. The addition of wooden features or details to a building or structure in an effort to create a false historical appearance shall not be permitted.

III-2 Masonry

1. Preserve and maintain existing masonry features that contribute to the historical character of the site including walls, foundations, roofing materials, chimneys, cornices, quoins, steps, buttresses, piers, columns, lintels, arches, and sills.
2. Preserve and maintain existing masonry materials, including brick, terracotta, limestone, granite, fieldstone, stucco, slate, concrete, cement block, and clay tile and their distinct features.
3. Preserve and retain masonry features by adequate maintenance:
 - a. Inspect regularly for signs of moisture damage, mildew, cracks, settlement, deterioration, and loosening.
 - b. Provide adequate drainage to prevent standing water.
 - c. Clean masonry only when absolutely necessary to remove heavy soiling or prevent deterioration. Use the most unobtrusive methods possible.
 - d. Repaint painted masonry surfaces only when absolutely necessary.
4. Repair of masonry features shall be through recognized preservation methods.
5. Re-point masonry mortar joints if the mortar is cracked, crumbling, or missing or if damp walls or damaged plaster indicate moisture penetration. Before re-pointing, carefully remove deteriorated mortar using hand tools. The mortar shall be replaced with new mortar that is consistent with the original in strength, texture, and composition. The original mortar joints shall be conforming in width and profile.
6. Repair and replacement shall be made only when absolutely necessary and only of those elements or features in need. Replacement shall be in keeping with the existing structure. Conformity to material, style, pattern, texture, and proportion shall be required. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
7. Replacement of a large area or the entire features shall be in keeping with the original structure in material, style, pattern, texture, and proportion. Accurate documentation shall be utilized to ensure the new design is in conformity with the character of the historic landmark, and which documentation shall clearly distinguish the original fabric from more recent repairs or replacement.

8. Test any cleaning technique, including chemical solutions, on an inconspicuous sample area well in advance of the proposed cleaning to evaluate its effects. Cleaning of masonry features and surfaces with destructive methods, including sandblasting, high-pressure water blasting, and power washing shall not be permitted.
9. Painting of previously unpainted masonry surfaces that were not painted historically shall not be permitted.

III-3 Architectural Metals

1. Preserve and maintain existing architectural metal features that contribute to the historic character of the site, including roofing, flashing, storefronts, cornices, railings, hardware, casement windows, and fences.
2. Preserve and maintain architectural metals, such as copper, tin, brass, cast iron, wrought iron, and lead that contribute to the historic character of the landmark.
3. Preserve and retain architectural metal features by adequate maintenance:
 - a. Inspect regularly for signs of moisture damage, corrosion, structural failure or fatigue, galvanic action, and paint film failure.
 - b. Provide adequate drainage to prevent standing water.
 - c. Clear metal roofs and gutters of leaves and debris.
 - d. Retain protective surface coatings, such as paint and lacquers, to prevent corrosion.
 - e. Clean only when absolutely necessary to remove corrosion or to prepare for recoating. Use the most unobtrusive method possible.
 - f. Repaint promptly when paint film deteriorates.
4. Repair of metal features shall be through recognized preservation methods for splicing, patching, and reinforcing.
5. Repair and replacement shall be made only when absolutely necessary and only of those elements or features in need. Replacement shall be in keeping with the existing structure. Conformity to material, design, dimension, texture, and proportion shall be required.
6. Accurate documentation of repairs will clearly distinguish original from new fabric. Compatible substitute materials shall be permitted only when use of the original material is not feasible. Appropriate documentation shall clearly distinguish the original fabric from more recent repairs or replacement.
7. Clean soft metals, including lead, tin, and copper, with chemical solutions after pretesting them to ensure that they do not damage metal surface. Soft metal surfaces shall not be cleaned with destructive methods like grit blasting.

8. Clean hard metals such as cast iron, wrought iron, and steel using the most unobtrusive means possible. Consider low-pressure glass bead blasting only if absolutely necessary and if hand scraping and wire brushing have been ineffective.
9. The addition of architectural metal features or details to a building or structure in effort to create a false historical appearance shall not be permitted.
10. Patching metal roofs or flashing with tar or asphalt products shall not be permitted.

III-4 Roofs

1. Preserve and maintain roofs and roof features that contribute to the historic character of the site, including both functional and decorative features, such as roofing materials, cresting, dormers, chimneys, cupolas, and cornices.
2. Preserve and retain metal, wooden, and masonry features of roofs by adequate maintenance:
 - a. Inspect regularly for signs of deterioration and moisture.
 - b. Clean scuppers, gutters, and downspouts to ensure proper drainage.
 - c. Replace deteriorated flashing as necessary.
 - d. Reapply appropriate protective coatings to metal roofs as necessary.
 - e. Maintain adequate ventilation of roof sheathing to prevent moisture damage.
 - f. Ensure that roofing materials are adequately anchored to resist wind and water.
 - g. Refasten loose--or replace damaged--shingles, slates, or tiles.
3. Repair historic roofs and roof features through recognized preservation methods for resetting or reinforcing.
4. Repair and replacement shall be made only when absolutely necessary and only of those elements or features in need. Conformity to material, design, dimension, texture, and proportion shall be required. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
5. Replacement of an entire roofing material or feature shall be in keeping with the original structure in material, detail, style, pattern, texture, and proportion. Accurate documentation shall be utilized to ensure the new design is in conformity with the character of the historic landmark, and which documentation shall clearly distinguish the original fabric from more recent repairs or replacement.
6. Removal of roof features that are vital contributors to the historic character of a landmark shall not be permitted if repair or replacement is possible.
7. Installation of new gutters and downspouts shall not damage or impede existing architectural features and shall match in design, style, shape, and proportion.

8. Concealed and/or built-in gutter systems shall not be replaced with exposed gutter systems.
9. New roof features, including skylights, solar collectors, antennas and satellite dishes, mechanical equipment, dormers, or vents shall not be installed if installation will compromise the integrity of the roof design, material, or other defining features. Such features, if proposed and approved, should not be visible from the public right-of-way.
10. Tarpaper rolls and roofing tar shall never be used as finished roofing materials or replacements for valley flashing.
11. Tar or asphalt products shall never be used to patch any roofing or flashing.

III-5 Exterior Walls & Trim

1. Preserve and maintain exterior wall materials that contribute to the historic character of the site, including both functional and decorative features, such as brickwork, stucco, stone, wooden shingles, wooden siding, and metal, wooden, or masonry trim-work.
2. Preserve and maintain exterior wall features that contribute to the historic character of the site, including those both functional and decorative, such as cornices, foundations, bays, quoins, arches, water tables, brackets, entablatures, and storefronts.
3. Preserve and retain metal, wooden, and masonry features by adequate maintenance:
 - a. Inspect regularly for signs of deterioration, moisture, vegetation, infestation, corrosion, structural damage, and settlement.
 - b. Provide adequate drainage to prevent standing water.
 - c. Clean exterior walls as necessary to remove heavy soiling or to prepare for repainting. Use the most unobtrusive method possible.
 - d. Maintain coatings, including paint or stain, to prevent deterioration, reapplying as necessary.
4. Repair exterior wall surfaces, details, and features through recognized preservation methods for the material or coating.
5. Repair and replacement shall be made only when absolutely necessary and only of those elements or features in need. Replacement shall be in keeping with the existing structure. Conformity to material, design, dimension, texture, and proportion shall be required. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
6. Replacement of an entire exterior wall or feature shall be in keeping with the original structure in material, detail, style, pattern, texture, and proportion. Accurate documentation shall be utilized to ensure the new design is in conformity with the character of the historic landmark, and which documentation shall clearly distinguish the original fabric from more recent repairs or replacement.

7. New exterior features, including windows and door openings, bays, vents, balconies, or chimneys shall not be introduced to character-defining exterior walls if doing so results in compromising the historical significance of the structure.
8. Removing or covering historic exterior wall materials, including wooden siding or shingles, stucco, brick, and stonework shall not be permitted unless required to meet accurate restoration of the building. Covering such materials with contemporary materials shall not be permitted.
9. New exterior features shall not be introduced in an effort to create a false sense of historical appearance.

III-6 Windows & Doors

1. Preserve and maintain windows and doors that contribute to the historic character of the site, including both their functional and decorative features, such as frames, sash, muntins, sills, heads, moldings, surrounds, hardware, shutters, blinds, glazing, panels, sidelights, fanlights, and thresholds.
2. Preserve and retain the wood and metal elements of historic windows and doors by adequate maintenance:
 - a. Inspect regularly for signs of deterioration, moisture damage, air infiltration, paint failure, and corrosion.
 - b. Clean with the most unobtrusive method possible.
 - c. Limit paint removal and reapply protective coatings as necessary.
 - d. Re-glaze sash and other features as necessary to prevent moisture.
 - e. Weather-strip windows and doors to reduce air infiltration and increase energy efficiency.
3. Repair of windows and doors and their distinct features shall be through recognized preservation methods for patching, consolidating, splicing, and reinforcing.
4. Repair and replacement shall be made only when absolutely necessary and only of those elements or features in need. Replacement shall be in keeping with the existing structure. Conformity to material, design, dimension, texture, detailing, architectural trim, and proportion shall be required. Compatible substitute materials shall be permitted only when use of the original material is not feasible. Appropriate documentation shall clearly distinguish the original fabric from more recent repairs or replacement.
5. Replacement of deteriorated or missing wooden shutters shall be in keeping with the structure's original shutters. Size and operability are integral parts of the replacement feature. New shutters shall not be introduced where no prior evidence of such is provided.

6. Installation of new windows and doors, necessary for a new use, shall be installed on a rear or non character-defining façade of the structure, and only if installation of such will not compromise the historical integrity of the structure or exterior wall. Such installations shall be in keeping with existing windows and doors.
7. Introduction of storm windows or doors, whether exterior or interior, shall not obscure or damage the existing sash and frame. Such windows shall be narrow-profile and dividers shall be aligned with existing windows. Bare aluminum storm doors shall not be permitted.
8. Installation of fabric awnings over windows, doors, storefronts, or porch openings shall be permitted only where historically accurate, and shall not damage or obscure the historical integrity of the structure.
9. Removal of original doors, windows, shutters, blinds, hardware, and trim from a character-defining façade shall not be permitted.
10. Removing window and door features, including stained, beveled, or textured glass, or tracery, shall not be permitted unless evidence of historical accuracy is illustrated.
11. Installation of snap-in muntins in an effort to create a false divided-light appearance shall not be permitted.
12. Clear glazing shall not be replaced with tinted or opaque glazing.

III-7 Porches, Entrances, and Balconies

1. Preserve and maintain porches, entrances, and balconies that contribute to the historic character of the site, including both their functional and decorative features, such as columns, pilasters, piers, entablatures, balustrades, sidelights, fanlights, transoms, steps, railings, floors, and ceilings.
2. Preserve and retain the wood, masonry, and metal elements of porches, entrances, and balconies by adequate maintenance:
 - a. Inspect regularly for signs of moisture, rust, structural damage or settlement, and infestation.
 - b. Provide adequate drainage to prevent standing water.
 - c. Clean with the most unobtrusive method possible.
 - d. Caulk wooden joints properly to prevent moisture and air infiltration.
 - e. Retain protective surface coatings, including paint or stain, to prevent damage from moisture and ultraviolet light, reapplying as necessary.
 - f. Weather-strip windows and doors to reduce air infiltration and increase energy efficiency.
3. Repair of porches, entrances, and balconies shall be through recognized preservation methods for patching, consolidating, splicing, and reinforcing.

4. Repair and replacement shall be made only when absolutely necessary and only of those elements or features in need. Replacement shall be in keeping with the existing structure. Conformity to design, dimension, detail, texture, and material shall be required. Compatible substitute materials shall be permitted only when use of the original material is not feasible.
5. Replacement of an entire porch, entrance, or balcony shall be in keeping with the original structure in design, dimension, detail, texture, and material. Accurate documentation shall be utilized to ensure the new design is in conformity with the character of the historic landmark. Compatible substitute materials shall be permitted only when use of the original material is not feasible. Accurate documentation shall clearly distinguish the original fabric from more recent repairs or replacement.
6. The enclosure of a historic porch to accommodate a new use shall be permitted only if the enclosure can be designed to preserve the historic character of the porch and building. Enclosure of such features on the front building façade shall not be permitted.
7. Removal of materials associated with porches, entrances, or balconies, including graining, spindle work, beveled glass, or beaded board shall not be permitted unless an accurate restoration requires it and such evidence is provided.
8. Replacement of an original entrance or porch to install a new one shall not be permitted.
9. Introduction of features or details to a historic porch, entrance, or balcony shall not be permitted unless historically accurate evidence is provided.

III-8 Utility Structures & Energy Retrofit

1. Preserve and maintain the inherent energy-conserving features of historic buildings and their sites that contribute to the historic character of the site, such as shade trees, porches, awnings, and operable windows, transoms, shutters, and blinds. Accurate documentation shall clearly distinguish the original fabric from more recent repairs or replacement.
2. Increase the thermal efficiency of historic buildings by observing appropriate traditional practices, such as weather stripping and caulking, and by introducing energy-efficient features, such as awnings, operable shutters, and storm windows and doors, where appropriate.
3. In those cases where installation of a new mechanical system is necessary, such systems shall be introduced so as to cause the least alteration of the building's exterior, historic fabric, and site features.
4. Introduction of exterior or interior storm windows shall not obscure or damage the existing sash and frame, and shall be narrow-profile. For double-hung windows, operable storm window dividers should align with the existing meeting rails.

5. Introduction of full-light storm doors, constructed of wood or aluminum, shall not obscure or damage the existing door and frame. Bare aluminum storm doors and storm windows are not appropriate.
6. Replacement of deteriorated or missing wooden blinds and shutters shall be in keeping with the original historic features of the structure. Size and operability are integral parts of the replacement feature. New shutters shall not be introduced where no prior evidence of such is provided.
7. Installation of fabric awnings over windows, doors, storefronts, or porch openings shall be permitted if historically appropriate and existing historic features are not damaged or obscured by doing so.
8. Installation of new mechanical equipment and utilities, such as heating and air-conditioning units, meters, exposed pipes, and fuel tanks, shall be in the most inconspicuous location possible, typically in the rear of the structure, and screened from view.
9. Underground utility lines shall be encouraged wherever possible to reduce the intrusion of overhead lines on the historic landmark. In doing so, archaeological and historic features, including tree roots, shall not be disturbed.
10. Introduction of portable air-conditioning units shall be on the rear of historical structures, or in other inconspicuous locations, as appropriate.
11. Installation of vents, solar collectors, antennas, satellite dishes, or mechanical equipment shall not be permitted on roof slopes visible from the public right-of-way, or where the historic character of the structure will be destroyed by doing so.

III-9 Accessibility & Emergency Access

1. Changes to historic structures shall be evaluated as to whether or not the proposal is compatible with the historic character of the structure and site, while meeting the accessibility and life-safety code required.
2. Accessibility and life safety code requirements shall be met in such a way as to preserve the defining characteristics of the historic structure and site, as well as integral features, including façades and finishes.
3. Consult with historic preservation specialists, local disability groups, and code enforcement officials as necessary, to reach a solution to satisfy all parties involved. Code enforcement officials may provide alternatives that are effective in meeting requirements while still preserving the historic integrity of the structure.

4. Introduction of accessibility and life-safety requirements shall be reversible or temporary wherever possible.
5. Fire doors, exterior fire stairs, or elevator additions shall be located on non-character-defining façades, and shall be designed in keeping with the style, material, scale, proportion, and finish of the historical structure.

Article IV- New Construction & Additions

IV-1 Decks

1. Decks shall be located and constructed so as not to interfere with the historic character of the primary structure and its defining features and details. Install decks so that they are structurally self-supporting, do not damage or obscure the historical landmark, and may be removed in the future without damage to the structure.
2. Construction of decks shall be done in an inconspicuous location, typically the rear of the structure, built to the elevation of the building where installed, and inset from the corners so that they are not visible from the right-of-way.
3. Decks and associated railings and steps shall be designed to reflect the materials, scale, and proportions of the landmark and its features.
4. In instances where proof is provided that installation is warranted on the side of a building, the deck shall be treated in a more formal architectural manner. Details, finishes, rails, structural support elements, and the like shall be compatible with the existing historical structure.
5. Deck shall be screened in keeping with the historical building, including materials such as skirt boards, lattice, masonry panels, and dense evergreen foundation plantings, as appropriate.
6. Introduction of a deck shall not be permitted if doing so will require removal of a significant building or site feature, if it will affect the integrity of the structure, or significantly change the proportion of the built area to open space.

IV-2 Additions

1. Introduction of new additions shall incur the least possible loss of historic character and shall not destroy, damage, or obscure any character-defining features of the structure or site.
2. New additions shall be designed so the overall historical character of the site, topography, features, trees, and significant historic landmark vistas and views are retained.

3. Disturbance to the topography and terrain shall be kept to a minimum in an effort to prevent the destruction of unknown archaeological sites, protect large trees, and preserve other significant site features. Compaction of soil within the drip line of trees during construction shall not be permitted, as it may destroy root areas.
4. New additions shall be located in an inconspicuous location on the site, typically the rear façade of the building.
5. The size, scale, and other proportional elements of the proposed addition shall not diminish or visually overpower the historic structure.
6. New additions shall be in keeping with the historical structure in building mass, materials, design, texture, and relationship of solids to voids in exterior walls, yet shall demonstrate a discernible difference from the original structure.
7. Introduction of new additions shall not be permitted if doing so will damage the integrity of the landmark or its character, or if it will require removal of a significant building or site feature.
8. Introduction of new additions shall not be permitted if doing so will significantly change the proportion of built-up mass to open space of the site.

Article V- Relocation & Demolition

V-1 Relocation

1. Proper documentation shall be made prior to relocation of a historic structure, including documenting its original setting and context, photographs, site plans, other graphic materials, and/or written statements to record the existing site conditions as necessary.
2. Contractors experienced in moving historic buildings shall be enlisted to do the following:
 - a. Determine the structural condition of the property before the move.
 - b. Coordinate the move with the utility companies and appropriate County and City departments.
 - c. Protect the structure from vandalism or weather damage before, during, and after the move.
 - d. Minimize structural damage during the move.
3. The HRC shall be provided with a site plan for the proposed site features of the new setting, including information on accessory buildings, driveways, site lighting, and parking areas.
4. In cases where the original location of the structure to be relocated is within a historic landmark, the HRC shall be provided with a site plan for the site features of the original site after the relocation.

5. Significant site features of the original site, the new site, and the route of the move shall not be destroyed or damaged.

V-2 Demolition

1. All alternatives to demolition shall be evaluated in conjunction with the Historic Resources Commission prior to demolition.
2. Significant structure features shall be documented, including photographs and measured drawings, as specified by the HRC, prior to demolition using Historic American Building Survey or Historic American Engineering Record standards. These can be found at www.nps.gov/history/hdp/standards/standards.htm. The full reference for these standards is the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation (1990). HABS/HAER Historic American Buildings Survey/ Historic American Engineering Record. Cultural Resources Program. U.S. Department of the Interior. National Park Service. Washington, DC 20013-7127.
3. Prior to demolition, property owner shall, in conjunction with the HRC and other interested parties, work to salvage usable architectural materials and features.
4. A site plan shall be submitted to the HRC, prior to demolition, illustrating proposed site development or plantings to follow demolition.
5. Property owner shall be responsible for ensuring that surrounding properties and historic resources remain safe during demolition.
6. Site shall be cleared promptly and thoroughly following demolition.
7. Site shall be developed or planted, as approved in the proposed site plan, promptly following demolition.

Article VI- Appendices

VI-1 A: Secretary of the Interior's Standards for Rehabilitation

The United States Department of the Interior has developed a set of national standards for the rehabilitation of historic properties. These standards are to be applied equally and in a reasonable manner to all applications. State legislation requires that these standards be the sole guidelines utilized for review of COAs for State-owned buildings.

Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will 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 elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the Old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will 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.

VI-2 B: Resources

Local Resources

Henderson County Historic Resources Commission
c/o Henderson County Planning Department
100 N. King Street, NC 28792
Phone: (828) 697-4819
Fax: (828) 697-4533

State Resources

State Historic Preservation Officer Department of Cultural Resources Office of Archives & History

4617 Mail Service Center, Raleigh, NC 27699-4617

For information on the National Register program, contact the Survey and Planning Branch. For information on preservation tax credits and technical restoration assistance, contact the Restoration Branch.

Office: 109 E. Jones Street, Raleigh, NC 27601
Phone: (919) 807-6570
Fax: (919) 807-6599
Website: www.hpo.dcr.state.nc.us

National Resources

Heritage Preservation Services
National Park Service
US Department of Interior
1849 C Street NW, Washington DC 20240
Office: 1201 "Eye" Street, NW (2255), Washington DC 20005
Phone: (202) 513-7270
Website: www.nps.gov/history/hps
Email: NPS_HPSInfo@nps.gov

Draft Historic Landmark Ordinance and Design Guidelines



Henderson County Board of Commissioners Meeting
April 15, 2015

Henderson County Planning Department

Background

- The Historic Resources Commission (HRC) was established in 2005
- Board of Commissioners directed staff to draft a Historic Landmark Ordinance during FY2015
- Planning Board reviewed the draft ordinance and voted unanimously to give a favorable recommendation on January 15, 2015

Henderson County Planning Department

Creation of Historic Landmarks

- G.S. 160A-400.6 requires adoption of an ordinance to designate historic landmarks
- Purpose: Safeguard heritage of the county and promote use and conservation of historic landmark properties
- Program is Voluntary and participants may opt out upon request
- Approved applications eligible for 50% property tax abatement (only applies to portions of the property with historical significance)

Henderson County Planning Department

How is Historic Landmarks Designated?

Must meet ALL 4 requirements:

1. Property is 100 years or older
2. Owner agrees to terms & conditions for designation as Historic Landmark
3. Accepted on State Historic Study list (Property on State Historic Study list may be eligible for nomination to National Register of Historic Places.)
4. Applicants provide evidence of property's historical significance in quasi-judicial hearing

Henderson County Planning Department

Application Process

- Property owner makes application to the program
- HRC works with applicant to:
 - Create a detailed study and report
 - Submit report to the NC Historic Preservation Office for review/comment
- Collected information/reports presented to ZBA during quasi-judicial hearing
- Board of Commissioners make final decision to designate selected property
- If designated, the applicant may request tax abatement through the Tax Office (Tax abatements will not begin until the following calendar year)

Henderson County Planning Department

Tax Abatement Criteria

- After designated “Landmark”, property owners eligible for 50% tax abatement
- Abatement only applies to historic portions of the property that have been designated (does not apply to entire parcel)
- To leave program, property owner must pay back previous 3 years of abated taxes

	Total Dollars	% of General Fund Revenue	% of Ad Valorem Tax Base	Number of Properties	Average/ Property
Possible Nominees	\$ 3,834.79	0.0033%	0.0061%	6	\$ 639.13

Henderson County Planning Department

Associated Design Guidelines

- Are required by G.S. 160A-400.6 as an accompanying document to Landmark Ordinance
- Set forth standards and process to address property modifications
- Applies to exterior of structures and land (no impact to interior modifications)
- Are based on information collected from:
 - National Park Service (National Register of Historic Places)
 - North Carolina State Historic Preservation Office
 - City of Hendersonville

Henderson County Planning Department

Design Guidelines Continued

Three Categories of projects or modifications:

1. Routine Maintenance- does not require a approval
2. Minor Improvements- administratively approved
3. Major Modifications- approved by ZBA

Provide information to aid property owners proposing changes to their properties.

Guidelines address the following:

- Setting & site features
- Building exteriors
- New construction & additions
- Relocation & demolition

Henderson County Planning Department

Henderson County Historic Resources Commission

Presented by the HRC Members

Henderson County's Historic Landmarks Program

Presented by

Henderson County Historic Resources Commission members:

Bette Carter
Stephen Fosberg
Charles Kuykendall
Terry Ruscin

Ronald Schultz
Susan Sneeringer
Martha Todd
Donald Wilson

Without a sense of *place*
a community loses its *roots*
and the link to its *past*.



Why Institute a Landmark Program?

- The spirit of Henderson County is reflected in its historic heritage.
- Historic preservation provides a sense of vitality and orientation to county residents.
- The preservation of irreplaceable cultural heritage facilitates promotion of local and regional *heritage tourism*.

Importance of Heritage Tourism

- Tourism spending within Henderson County totaled 233 million dollars in 2013.
- The travel and tourism industry directly employs more than 2,050 people in Henderson County.
- State and local tax revenue generated within the County from tourism topped 20 million dollars in 2013.

Importance of Heritage Tourism (*continued*)

- A historic landmark program can be used to promote the heritage or cultural tourism segment of this market.
- This would spur economic growth. Studies have demonstrated that those interested in heritage tourism *spend more per visit than other tourists.*



Historic Flat Rock Tour of Homes, 2014



Hendersonville Holiday Tour of Historic Inns, 2012



Tour of Historic Stillwell Homes, Hendersonville, 2012

Potential Landmark Properties

Examples of the types of properties we would consider including as local historic landmarks:





Angelique Academy (circa 1865), near Laurel Park



"Meadows" / Blake House (circa 1860), Fletcher



“Bryn Avon” (circa 1884), Bowman’s Bluff / Big Willow



St. Paul’s Episcopal Church (1910), Edneyville

Urgency of Historic Preservation

What can happen if we do nothing to encourage historic preservation:



"Argyle" (circa 1830), Flat Rock



"The Old Blue House" (circa 1860), Dana



"Slim" Rutledge Home (circa 1900), Crab Creek



Pink Bed Post Office, (circa 1875), Mills River



Sexton Dairy (circa 1910), Valley Hill

Key Components to Our County Landmark Program: Eligibility Criteria

Note: This is a *voluntary* program. No property will be listed without the full support and backing of the property owner.

- The properties must be of historical, prehistoric, architectural, or cultural importance;
- Must first be on either the National Register of Historic Places or on the North Carolina State Historic Preservation Office Study List;
- Must be at least 100 years old; and
- Property owner *voluntarily* agrees to terms and conditions for designation as a historic landmark; and

Eligibility Criteria (*continued*)

- The property represents the full spectrum of historic property types in the county including but not limited to residences, commercial buildings, houses of worship, farmsteads, engineering features or parks, or
- The property is associated with historic events that have shaped Henderson County, or
- The property is tied to the lives of persons who influenced the economic, social, educational, or cultural conditions of Henderson County, or
- The property features distinct architectural style, method of construction, high artistic values, or represents the work of a master architect or builder or...

Eligibility Criteria (*continued*)

- The property yields or is likely to yield information important to the understanding of the history or prehistory of Henderson County.

The last four criteria derive from the 1966 National Historic Preservation Act and also govern the National Register of Historic Places.

Tax Incentives: Federal

National Register of Historic Places incentives:

- Eligibility for a 20% federal income investment tax credit for income-producing properties.
- Tax deductions for charitable contributions of partial interests for conservation purposes.

Tax Incentives: Henderson County (*Impact and Incentive of a Landmark Program*)

Local landmarks would benefit from the following Henderson County tax incentives:

- Owner may apply for an annual 50% property tax deferral.

Why Designations Would Be Limited

- Preparing a nomination package is expensive and time consuming. (Costing approximately \$2,000 – \$4,000 and are borne by the applicant).
- North Carolina State tax credits have expired.
- Any changes to property must first have plans reviewed and approved by appropriate commission or board by applying for a certificate of appropriateness.
- Only outstanding properties would meet the qualifying criteria and merit HRC's investment of time.
- Flat Rock, for example, has thus far accepted only two local landmarks in its program and Hendersonville has accepted only three.

Limited Designations (*continued*)

- Those five properties together, were they not landmarks, would pay a total of \$12,000 in *ad valorem* taxes annually. With a total deferred tax amount of \$6,200, the cost to the county would be \$6,000 or .0095% of total anticipated revenue for fiscal year 2014/2015.
- There are six likely nominees that the HRC proposes to recommend for landmark status. Those properties together currently pay \$7,700 in *ad valorem* taxes. If all six became landmarks, the total reduction in county tax revenue would amount to \$3,800 or .0061% of revenue based on anticipated fiscal year 2014/2015 projections.
- This assumes that all six are willing to foot the expense of the nomination—considering, too, that it would take four to six years before all would be in place.

Conclusions

- Henderson County is blessed with world-class architectural treasures.
- Without intervention, these structures will deteriorate and vanish.
- A well-run local landmark program provides modest county tax incentives in return for the preservation of nonrenewable historic resources, thus stimulating community vitality and heritage tourism and enhancing local quality of life.

Historic preservation is key to
providing a sense of place—
a sense of environment and community.

How do you place on value on that?

Historic resources:

*It's like pricing the priceless,
calculating the incalculable....*





“The Top” / “House of Seven Gables” (circa 1889), Macedonia

Photography by Terry Ruscin

Public Hearing Comments

