



Section 1 **Introduction**



1.1 Raleigh Historic Districts

A Raleigh Historic District is a distinctive area, a place of singular historical flavor characterized by its streets and squares, buildings and trees, architectural design and landscape features. It may be monumental or simple, residential or commercial. A historic district is also a legacy, linking present and future generations with their heritage and providing a diversity vital to the city's future quality of life.

Development that enhances the character of Raleigh Historic Districts is encouraged. The Code of Ordinances (§10-2052), under which the districts are legally established as an overlay zoning district, recognizes that they are valuable assets to the identity of the city. It also recognizes that change is an important element in the city's evolution, indicating a healthy, vital neighborhood and reflecting the pride of residents in their community. Historic district overlay zoning identifies a historic area and provides the mechanism of a design review process for exterior changes; however, it does not affect the *uses* of properties as permitted by the existing zoning.

Raleigh Historic Districts are established by the City Council after action has been proposed by a neighborhood organization, a preservation group, or the city, and after careful research and evaluation. As of 2001, five areas have been designated as Raleigh Historic Districts: Blount Street, Boylan Heights, Capitol Square, Moore Square, and Oakwood. These districts represent residential neighborhoods, downtown commercial and institutional districts, and a primarily institutional district that incorporates many formerly residential buildings now adapted to meet institutional needs. Maps of these districts are included in the appendix.

Historic district designation is designed to protect and enhance the existing character of a community. Through historic district overlay zoning, a neighborhood is protected from unmanaged change by a review process based on established design guidelines. Additionally, rehabilitation of a qualified historic property may be eligible for significant tax benefits. Federal law and state statutes provide for sizable income tax credits on rehabilitation work done to eligible historic properties. There are also federal tax advantages in the form of charitable contribution deductions for owners who donate a historic preservation easement to a charitable organization. To obtain contact information for more specific details on either of these programs, call the Raleigh Historic Districts Commission at 919/832-7238.

It is anticipated that additional Raleigh neighborhoods will seek designation as local historic districts. Public comment is an important part of the designation process. By law, property owners in a proposed historic district must be notified of the proposal so that they may appear and comment on it during the public hearings before the Planning Commission and the City Council. Neighborhood forums, including both owners and tenants, are usually sponsored by the commission before the public hearings.



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



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



1.2 Raleigh Historic Districts Commission

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

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

The commission has several powers and responsibilities, including recommending to the City Council the designation, or the removal, of historic district overlay zoning; granting requests for proposed changes within the historic district that in its determination are congruous with the special character of the district; conducting educational programs on historic districts; cooperating with state, federal, and local governments in pursuance of its responsibilities; and conducting meetings or hearings necessary to carry out these purposes.

1.3 The Design Review Process

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

One of the purposes of the RHDC is to assist and consult with property owners about proposed changes to properties in the historic districts. In the early planning stages of a project, property owners should call the RHDC staff with any questions or concerns. The staff can assist by interpreting the Code, suggesting solutions to problems, and explaining the review process. They can also make on-site consultations and provide technical assistance in solving problems (such as persistently peeling paint). In addition, the RHDC has a library of preservation resource materials that property owners may consult or borrow. For assistance, call 832-7238.

Certificates of Appropriateness

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



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



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



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



For assistance, contact
the RHDC Staff,
919/832-7238

They stress the importance of protecting and maintaining historic structures and districts, and they advocate repair over replacement. The RHDC will provide a property owner with a copy of the relevant guidelines for a project and a property. Following an application review, a certificate of appropriateness (COA) is issued to show that the proposed project has been reviewed according to the design guidelines and found to be appropriate.

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

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

An application form for a COA can be obtained from the RHDC office or online at <www.rhdc.org>. Drawings and/or photographs depicting the proposed changes are generally required for the review.

Most applications can be reviewed and approved by the RHDC staff through the Minor Work process. Major work projects are reviewed by the RHDC's COA Committee. Examples of these types of major changes are new construction, additions, demolition, tree removal, tall fences and decks, and parking lots. Property owners within 100 feet of a major work project are notified by mail of the date, time, and place for the COA Committee's review of the project. A sign is also posted at the property to alert the general public of the upcoming hearing. The five-member COA Committee meets monthly, and a decision is usually reached during the meeting at which the application is heard.

Appeals and Compliance

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

Any person or corporation who violates the provisions of the historic district regulations is subject to the same criminal misdemeanor and/or civil penalties as apply in any other violation of the city zoning code. These include a zoning violation citation issued by the Inspections Department, which has a \$50 civil penalty that must be paid within forty-eight hours. Following written notice from the Inspections Department, continuing violations will result in a civil penalty of \$100 for each day of the continuing violation.



1.4 The Secretary of the Interior's Standards for Rehabilitation

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

The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

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

- .1 A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- .2 The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- .3 Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- .4 Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- .5 Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- .6 Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- .7 Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- .8 Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- .9 New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- .10 New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



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

The Standards for Rehabilitation, a section of the Secretary's Standards for Historic Preservation Projects, address the most prevalent preservation treatment today: rehabilitation. Rehabilitation is defined as the process of restoring a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.



1.5 Certificate of Appropriateness Flow Chart

