

Introduction

Purpose & Intent

The purpose of these design standards is to help preserve the historic character and architectural fabric of Chapel Hill's historic districts. Through historic district overlay zoning, Chapel Hill's local historic districts are protected from unmanaged change by a design review process that is based on these Design Standards. The role of the Design Standards is twofold:

- They provide guidance to property owners within Chapel Hill's local historic districts as they plan exterior changes—including maintenance, alterations, additions, and new construction—to ensure that changes that are consistent with the special character of the districts.
- They also provide standards against which the Chapel Hill Historic District Commission and the Town of Chapel Hill Planning Department staff reviews and approves Certificate of Appropriateness (COA) applications for proposed exterior changes within the districts.

The intent is not to prevent physical change, but to manage change in ways that maintains the unique character and “sense of place” that exists within each district.

In addition to the Design Standards themselves, the document also includes essays for each of the three local historic districts that outline their special character; an outline of the COA application and review process; information about the correlations between preservation, sustainability, and economics; glossaries that identify architectural styles and vocabulary; suggested plantings; and other resources.

Responsibility of Property Owners

Chapel Hill's historic districts are collections of buildings and site features that, when taken together, convey a unique social and architectural history. Owners of properties within the historic districts benefit in a number of ways including: protection from uncontrolled change, technical assistance for proposed alterations, and a pride of ownership in these distinctive areas. Additionally, owners are stewards of Chapel Hill's unique history and have a responsibility to maintain and protect the building and site features within the districts for future generations. Thus, any changes made to the exterior of the property, including both the buildings and the site, requires a Certificate of Appropriateness (COA) from Town of Chapel Hill Planning Department staff or the Chapel Hill Historic District Commission. Failure to obtain a COA is a violation of Chapel Hill's Land Use Management Ordinance (LUMO) and is subject to fines.

Responsibility of the Chapel Hill Historic District Commission

Created by the Chapel Hill Town Council in 1976, the Chapel Hill Historic District Commission and the Town of Chapel Hill Planning Department staff that support the commission are charged with the task of maintaining and enhancing the character of three local historic districts. The commission accomplishes this by reviewing applications for Certificates of Appropriateness in order to ascertain whether proposed changes are consistent with the special character of the historic district and adhere to the Design Standards presented in this document.

The commission does not require property owners to make changes to their properties. Its review is limited to exterior changes including:

- proposed exterior alterations,
- changes in exterior materials,
- new construction,

- additions,
- significant site changes, and
- the relocation or demolition of historic buildings.

Interior alterations, routine maintenance, and minor exterior repairs that do not change the building's appearance or materials are not subject to the design review process.

The Chapel Hill Historic District Commission

North Carolina state enabling legislation and Town of Chapel Hill ordinances that authorize the Chapel Hill Historic District Commission and define its role are included in the Appendix.

The Historic District Commission is composed of nine (9) members appointed by the Town Council for three-year terms and assisted by the Chapel Hill Planning Department staff in executing its duties. The Commissioners are all residents of Chapel Hill who demonstrate special interest, experience, or education in architecture, archaeology, history, historic preservation, or other preservation-related fields.

Based upon its established commission and Planning Department staff support, Chapel Hill qualifies for the Certified Local Government (CLG) program, a federal program administered by the North Carolina State Historic Preservation Office (SHPO) that provides a national framework of historic preservation programs. CLG status benefits the community in a number of ways including eligibility for preservation-related grant opportunities. In North Carolina, the following is required for local government certification:

- Have an active and legally adequate historic preservation commission, with a designated staff liaison, that enforces appropriate state and local legislation and for the designation and projection of historic properties.
- Maintain a system for surveying and inventorying historic properties that is compatible with the statewide survey.
- Provide adequate public participation in the local historic preservation program, including the process of recommending properties for the National Register of Historic Places.
- Satisfactorily perform responsibilities delegated under the 1966 National Historic Preservation Act.

Certificate of Appropriateness Applications

A Certificate of Appropriateness (COA) is required for any change to the exterior of a property, except those classified as Ordinary Maintenance & Repair. Early in the planning process, property owners should review these Design Standards and contact the Town of Chapel Hill Planning Department staff to obtain a copy of a COA application. Typically, a completed COA application will include:

- a written description of the proposed work,
- architectural drawings and materials specifications,
- photographs of the existing conditions, and
- a summary of how the proposed work meets the Design Standards.

Specific application requirements are noted below and are also outlined in the COA application. Additionally, Planning Department staff is available to answer questions about what specific information and drawings are required for the COA application and to guide applicants through the COA process.

COAs are issued in the form of a letter to the property owner. A COA is valid for 365 calendar

days from the date of issuance, or in the case of a certificate for demolition, from the effective date. If the authorized work has not commenced within that period, has not been extended by the commission, or has been discontinued for more than 365 days from the date of the issuance, the COA will expire. The applicant will then be required to reapply and obtain a new COA before commencing further work.

Sidebar: The COA certificate must be obtained before a building permit can be issued and it must be posted at the building site while the approved work is in progress. Additional permits, such as building permits, may be required for a project. A COA does not supersede land use and zoning requirements and does not replace requirements for other permits.

Levels of Review

Exterior changes to properties in Chapel Hill's historic districts are separated into three categories: Ordinary Maintenance and Repair, Minor Works/staff-level review, and Major Works/commission-level review. The Design Review Chart on the following page includes examples of maintenance and repair items that do not require approval, minor works that require staff approval, and exterior changes that require HDC review. Planning Department staff can assist property owners in the historic district in determining whether the proposed work is classified as Minor works or whether it requires full review by the HDC.

**Insert Design Review Chart

Ordinary maintenance and repair includes cleaning and general repair (i.e. repainted previously painted surfaces, repairing/reglazing a window, and pruning bushes and trees). The standards for Building Materials give guidance on appropriate cleaning techniques for masonry, wood, metal, and painted surfaces and the standards for District Setting give guidance on the maintenance and repair of site features. Regular maintenance and repair does not require a COA.

Minor Works include two types of changes: 1) in-kind replacement of specific material or features, and 2) minor alterations to a site or structure that do not significantly impact the property or district and are consistent with these Design Standards and the Special Character of the historic district.

Within the context of this document, in-kind replacement means the limited replacement of a feature or surface using the *exact same material, size, scale, and detail*. In-kind replacement must be limited to architectural features or surfaces that have deteriorated beyond repair. *The full replacement of architectural features or surfaces including siding, windows, porches, etc. is not appropriate.*

Alterations that are considered Minor Works include, but are not limited to: the construction of private walkways, the installation of new mechanical equipment, and the construction of fences and low walls. See the table on page--- or contact staff for a full list of Minor Works. While Minor Works may or may not require a building permit, they do require a COA.

Applications for Minor Works must include information regarding the location of changes to be made, including photographs and sketches or site plans where necessary. However, full architectural drawings may not be necessary. The application must also include description (including color, profile, dimensions, and texture) of both existing and proposed materials. Manufacturer's "cut sheets," when available, should be included.

To expedite the design review process, Town of Chapel Hill Planning Department staff that supports the HDC has been authorized by the HDC to review and approve COAs for minor works. The review is subject to the following General Policies:

- 1) Delegation to staff is limited to those items specifically listed and subject to conditions enumerated.
- 2) All approvals by staff shall be summarized for the Commission at their next meeting.
- 3) Staff shall refer an application to the Commission if any uncertainty exists whether application meets criteria.
- 4) Property owner shall always retain right of appeal to Commission, as will property owners within area of notification.
- 5) Delegation is specifically not authorized in connection with any work for which a special permit is required.

Major works are significant changes that affect the appearance or architectural/material fabric of a property. These include all changes to the building's features or materials. Major works also include new construction, additions, relocation, and demolition. Major works require Certificate of Appropriateness and approval by the full Historic District Commission. Applications are evaluated against the Design Standards and to ensure they are not incongruous with the Special Character of the district.

Applications must include dimensioned architectural drawings including site plans and necessary elevations. Applications must also include photographs of existing conditions as well as surrounding buildings and properties. The application shall include description (including color, profile, dimensions, and texture) of both existing and proposed materials. Manufacturer's "cut sheets," when available, should be included. Landscape plans and materials should also be specified.

The Design Review Process

**Insert COA flowchart

The Town of Chapel Hill Planning Department staff and the Chapel Hill Historic District Commission review completed applications and issue Certificates of Appropriateness for changes that meet the Design Standards in this document. The design review process provides for the timely review of proposed exterior changes and should be completed before work is begun.

Minor Works

Completed COA applications, including supporting materials, once submitted to the Chapel Hill Planning Department, will be reviewed in the order in which they are received, typically within two weeks. Chapel Hill Planning Department staff reviews all applications for in-kind replacement and minor works. Staff will review applications to ensure that they:

- 1) are complete,
- 2) comply with all Town ordinances and codes, and
- 3) are consistent with the Design Standards outlined in this document.

Staff will include as summary of all approved Minor Works to the HDC at their next scheduled meeting.

Major Works

Completed COA applications, including supporting materials, must be submitted to the Chapel

Hill Planning Department by the Friday one month prior to the scheduled Tuesday HDC meeting, at least three weeks before the next scheduled HDC meeting. Chapel Hill Planning Department staff will review applications to ensure that they are complete and comply with all Town ordinances and codes. Staff will provide notification of the public hearing to all property owners within 100 feet of the proposed site. Further, staff will include the project address and scope of work on the published meeting agendas.

Whether reviewed by staff or the full HDC, action on an application must be taken within 180 days of the submission of the application. Action on most applications is decided at the hearing, though hearings may be continued for an additional month if more information is required to make a determination. Work may not proceed until the owner has an approved COA.

Sidebar: Any questions regarding proposed work within the historic district may be directed to the Chapel Hill Planning Department at 919-968-2728.

Hearings

The HDC is required by state statutes and Town ordinances to conduct a COA hearing on proposed Major Works to properties within the local historic districts. A COA hearing is conducted as a quasi-judicial hearing, where a decision is based on the evidence and testimony presented by the applicant and those who have legal justification to participate in the hearing—including:

- 1) the property owner and/or their representative, and
- 2) an owner of a neighboring property that may be materially affected by the COA.

Allowable testimony and evidence must directly relate to the relevant Design Standards. The applicant has the burden of proving that the proposed changes or new construction are *not incongruous* with these Design Standards.

The HDC may approve, approve with conditions, or deny a COA application, however, *the HDC can only deny changes that are determined to be incongruous*. Changes that are incongruous are those that are not in keeping with the mass, proportion, scale, style, details, and materials of the building, structure, or site feature in question or are not in keeping with adjacent properties and the district as a whole. It is the responsibility of the applicant to prove that proposed changes are not incongruous with the character and qualities of the historic district.

The HDC does not have the authority to deny requests for demolition. However, the HDC may delay demolition for up to 365 days to allow time for alternatives to demolition to be explored. During this time Chapel Hill Planning Department staff will work with the applicant to determine the feasibility of saving or relocating the building. If neither is possible, staff will work with the application to document the building and salvage its individual components.

The Chapel Hill Historic District Commission normally meets on the second Tuesday of each month in the Council Chambers of the Town Hall, 405 Martin Luther King Jr Boulevard. To be included on the agenda, completed Certificate of Appropriateness applications must be submitted by the Friday one month prior to the of the month preceding the meeting. HDC meeting dates and times can be verified with the planning department staff.

Commented [HW1]: I'm not really sure I understand this. Is it the Friday before the previous month's meeting? For instance, if the meeting is October 13 of this year, are they due September 4th (the Friday before the September meeting)? Or September 11th (the Friday before one month before the October meeting)?

Commented [AG2R1]: Yes, the applications for the following month are due the Friday before the Tuesday meeting.

Commented [HW3]: I made a lot of assumptions about how much the staff is willing to do here, so we can scale it back if necessary☺

Appeals and Compliance

Decisions by the Chapel Hill Historic District Commission may be appealed to the Board of Adjustment except for an action involving the State of North Carolina, in which case the North Carolina Historical Commission hears the appeal. The appeal must be filed within thirty days of receipt of written notification of the HDC decision. Applicants may appeal if they feel the HDC did not base its decision on the design standards or did not follow proper procedure in reaching its decision.

If work is begun without a Certificate of Appropriateness, all work must stop until a COA is issued. Work requiring review that is performed without a COA is in violation of the Chapel Hill Development Ordinance. The penalty can be the removal of the unapproved alteration, a civil citation, a fine, or other legal action.

Applying the Guidelines

The jurisdiction of the Chapel Hill Historic District Commission extends to all exterior attributes of a property, including both the building and site. Changes are evaluated against the Design Standards outlined in this document, which are meant to minimize the impact of changes to the individual property and the district as a whole.

The Design Standards are organized into five sections:

- District Setting
- Building Materials
- Building Features
- New Construction & Additions
- Relocation & Demolition

Each individual topic within these sections includes:

- a narrative overview of the specific topic
- description and photographs that are specific to Chapel Hill
- preservation guidance and best practices, and
- the enumerated Design Standards against which COA applications are reviewed.

Written to serve an educational role as well as a regulatory one, the language sometimes appears more conversational than in zoning and development standards.

The guidelines are not a comprehensive checklist of all of the steps involved in any rehabilitation process. Rather, they focus on the rehabilitation changes that may have a visual consequence. They also do not present a list of specific replacement options that are acceptable for all properties. Recognizing that the current condition of each structure varies in terms of how extensive its rehabilitation needs are and that the significant architectural features of each structure vary as well, the guidelines propose a process for tailoring a rehabilitation plan to the specific conditions and significant features of each property. The Appendix offers additional information on technical resources, references, and definitions.

Key factors considered by the HDC and terminology specific to the Design Standards are described below.

Appropriate – Especially suitable or compatible for a particular situation or occasion. In many instances, what is appropriate varies by building size, style, and material. However, each topic

includes one or more Design Standards that outline changes that are not appropriate for any building/site within the historic districts.

Architectural Character – The overall appearance of the architecture of a building including its construction, form, materials, and ornamentation.

Architectural/Historic Fabric – The physical material of a building, structure, or district connoting an interweaving of component parts. Historic fabric specifically refers to the historic building materials that together make up a historic building or district.

Character-defining Elevations – Character-defining elevations are typically those sides of the building that are visible from the public right-of-way. The term includes the overall building form as well as the projecting wings and bays that give the building its shape and the roof form and pitch. Character-defining elevations contribute to the special historic, cultural, or aesthetic character of a building. In the case of the district as a whole, they reinforce the special characteristics for which the historic district was designated.

Character-defining Features – Character-defining features are those components that in combination define a building as a particular architectural style and give a building or site its historical significance. They include materials (wood siding and trim, brick walls, slate roofs, wood windows, etc.) and decorative elements (cornices and brackets, door surrounds, gable vents, and other applied details).

Compatible – Able to exist or occur together without visual conflict. Alterations that are compatible are congruous or harmonious with the location, context, setting, and historic character of the building, site, and district.

Contemporary – Reflecting characteristics of the current building period.

Context – The relationship of a building or its elements to its immediate surroundings and the overall district. Context includes elements of the man-made and natural landscape that collectively define the character of the building, site, and district. Each historic district has a unique character and context (outlined on pages ---) with smaller sub-areas within each district that also have distinguishable characteristics.

Contributing/Noncontributing – A status or classifications assigned to properties within *National Register* historic districts. In those districts—which overlap Chapel Hill’s local historic districts—a contributing building is one that is at least fifty years old at the time of designation and is without significant exterior alterations. Change to all structures in the Local Historic Districts require a COA regardless of whether they are designated as contributing or noncontributing to the corresponding National Register historic district.

Design Standard – A regulatory rule or principle that the HDC and Planning Department staff will use in evaluating COA applications and required compliance. Only standards that are applicable to a specific project will be used.

Feasible – In this document, feasible means capable of being successfully accomplished within a reasonable time frame, taking into account economic, environmental, technical, legal, and social factors. This term is used in the guidelines to indicate that, while meeting a particular standard in full is usually required, there may be instances in a specific application where it may not be possible to do so. For example, there may be some extremely deteriorated conditions where

repairing a feature may not be a reasonable approach. In all cases, the HDC and Planning Department staff shall make the determination of what is feasible.

False Historical Appearance – The result of building materials or architectural features that make a building appear to be older than it is. It also includes the application of architectural details that may be of the appropriate era, but were not known to be present on the building historically (i.e. the addition of decorative brackets to porch posts without physical or visual evidence of their previous existence).

Immediate Surroundings – All parcels visible from or located within 300 feet in all directions of the subject property, including those on the opposite side of the street.

Incongruous – Not in harmony or keeping with the surroundings or other aspects of something. A determination of incongruity is based on the mass, proportion, scale, style, details, and materials of a building, structure, or site feature as it relates to building, structures, and site features on adjacent properties and throughout the district. It is the responsibility of the applicant to prove that proposed changes are not incongruous with the character and qualities of the historic district. Likewise, the HDC can deny an application only if it finds the proposed changes to be incongruous.

Integrity – Integrity is generally defined as a state of being whole and undivided and is most often applied to the physical materials and features of a historic property and their collective ability to convey the historic or architectural significance of the property or district. An evaluation of integrity requires an understanding of a property's physical features and how they relate to its significance. The National Register of Historic Places identifies the following seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity, a property will always possess several, and usually maintain most, of these aspects. The degree of historic integrity depends on an evaluation of the differences between the historic and existing elements of a district. A building with high material integrity would not have been altered much over the years.

Secretary of the Interior's Standards for Rehabilitation

In 1976, the United States Department of the Interior developed a set of standards for the rehabilitation of historic buildings. These ten national standards outline a hierarchy of preservation practices that focus on the maintenance and protection of historic properties, valuing preservation over the repair or replacement of historic features. The standards also address landscape features, site, and setting as well as additions and new construction. The HDC does not review applications for compliance with the Secretary's Standards for Rehabilitation. Rather, these standards are the broad preservation principles on which the design standards in this document are based.

The Secretary's Standards, as they are commonly called, are listed below in their most current version (2017). It should be noted that, although the first standard addresses use, the HDC does not review proposed uses of historic buildings.

1. A property will be used as it was historically, or be given a new used 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 addition 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 will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to project 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.

Sustainability and Historic Preservation

Residents of Chapel Hill have a long and admirable history of environmental consciousness and sustainable building practices and lifestyles. Maintaining and enhancing the inherent energy efficiency of historic buildings aligns with the collective stewardship of the natural and built environment by encouraging reuse, community reinvestment, and an appreciation of the town's historic and architectural heritage. Further, when buildings are rehabilitated instead of demolished for new construction, the embodied energy (the materials and energy used to construct the building) is maintained and building materials are kept out of landfills.

In broad terms, both historic preservation and sustainability include using natural and man-made resources wisely, maintaining them, and repairing them when needed. “Reduce, reuse, recycle, and repair,” is not just an adage of sustainability, but was common practice during the nineteenth and early-twentieth centuries when Chapel Hill's historic homes and districts were built. Resources were not as quickly or easily procured, which meant that buildings and materials were constructed to last indefinitely with only maintenance and small repairs. Additionally, without the availability of complex mechanical systems, historic homes utilized thoughtful siting and design to maximize the natural airflow, heating, and cooling effects of the local climate. Consequently, many homes in the Chapel Hill's historic districts are inherently sustainable, possessing energy efficient features—including operable windows and transoms, vented attics and crawlspaces, deep front porches, and mature shade trees—that require only routine maintenance and repair. The guidance and preservation best practices in this document can assist property owners with preserving and repairing the existing energy efficient features of their homes, while exploring contemporary technologies that can be installed in locations that do not compromise the historic integrity of the home, its materials, the streetscape, or the district.

In an effort to provide additional guidance, in 2011, the National Park Service developed Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings. These guidelines highlight the inherent sustainability of historic buildings and districts, particularly those built prior to the mid-twentieth century, which utilize natural sources of light, heat, and ventilation. The guidelines also include instruction and best practices for incorporating modern sustainable methods without compromising historic and architectural integrity. Discussed in ten categories (planning; maintenance; windows; weatherization and insulation; HVAC and air circulation; solar technology; wind power; roofs; site features and water efficiency; and daylighting) they provide a comprehensive and clear framework to assist homeowners.

The Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings can be found at <https://www.nps.gov/tps/standards/rehabilitation/guidelines/index.htm>.

Economics and Historic Preservation

All three of Chapel Hill's locally designated historic districts are also listed on the National Register of Historic Places. Properties that are listed as contributing buildings/structures to a National Register Historic District are eligible for federal and/or state income tax credits to offset the cost of rehabilitation of the properties. The federal income tax credits are available for income-producing properties and state income tax credits are available for both income-producing and non-income producing (owner occupied) buildings. The Secretary of the Interior's Standards are used in reviewing rehabilitation projects for federal and state Preservation Tax Incentive programs. To utilize the federal or state tax credits, the rehabilitation project must comply with the Secretary of the Interior's Standards for Rehabilitation and the rehabilitation plans and completed project must be reviewed and approved by the State Historic Preservation Office and the National Park Service for the state and federal credits respectively.

While the design review for tax credits is conducted separately from the HDC review, the Secretary of the Interior's Standards for Rehabilitation used to review tax credit projects are the same standards on which the Chapel Hill Historic District Design Standards are based. Therefore, there is much overlap in the intent of both programs and their application of the Secretary's Standards. The primary difference is that tax credit projects include a review of interior and exterior spaces, while the Chapel Hill HDC only regulates exterior changes.

Federal tax advantages are also available in the form of charitable contribution deductions to owners who donate a historic preservation easement to a charitable organization like Preservation Chapel Hill or Preservation North Carolina.

Sidebar: The boundaries of the National Register historic districts vary slightly from the boundaries of the local districts. For National Register maps and inventories with the contributing status of buildings, as well as for information regarding the state and federal tax credits, visit the State Historic Preservation Office website. Contact for the SHPO is located in the Appendix.