

Public Hearing

Local Historic District

"Any city gets what it admires, will pay for, and, ultimately, deserves. Even when we had Penn Station, we couldn't afford to keep it clean. We want and deserve tin-can architecture in a tinhorn culture. And we will probably be judged not by the monuments we build but by those we have destroyed." *"Farewell to Penn Station," New York Times editorial, October 30, 1963 Ada Louise Huxtable*

Basis

*The race for
"place-making"
as an economic
driver.*

- Communities all over are building "authentic-feeling" places by replicating historic neighborhoods.
 - Mixed-use, dense development of "Main Street" core with housing within walking distance.
 - Historic-looking houses on small lots with front porches and architectural detailing
 - Sidewalks, Street Trees, and Alleys

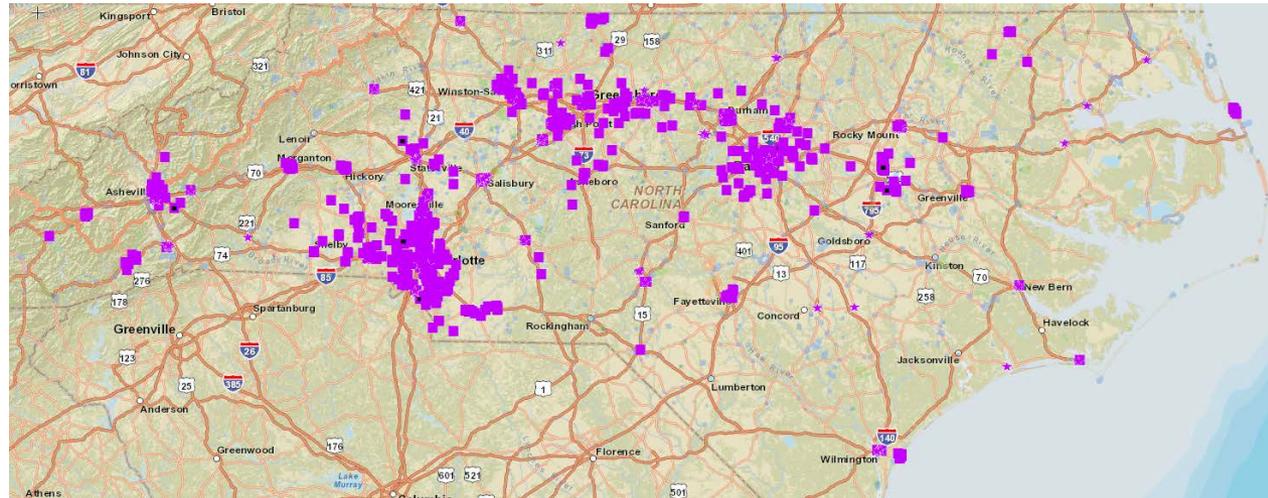
Basis

Authentic
vs.
Replicated

- In today's competitive and mobile world, the quality and character of a place determines if people and jobs will locate there.
- Authentic historic character is a much sought-after element that isn't easily replicated.
- By preserving the existing historic neighborhood which is within walking distance of Uptown, Lexington is ahead in the place-making race.

Basis

- *91 Historic Preservation Commissions in NC*
- *From Morganton to Charlotte, local historic districts are as common in small towns as they are in large cities.*

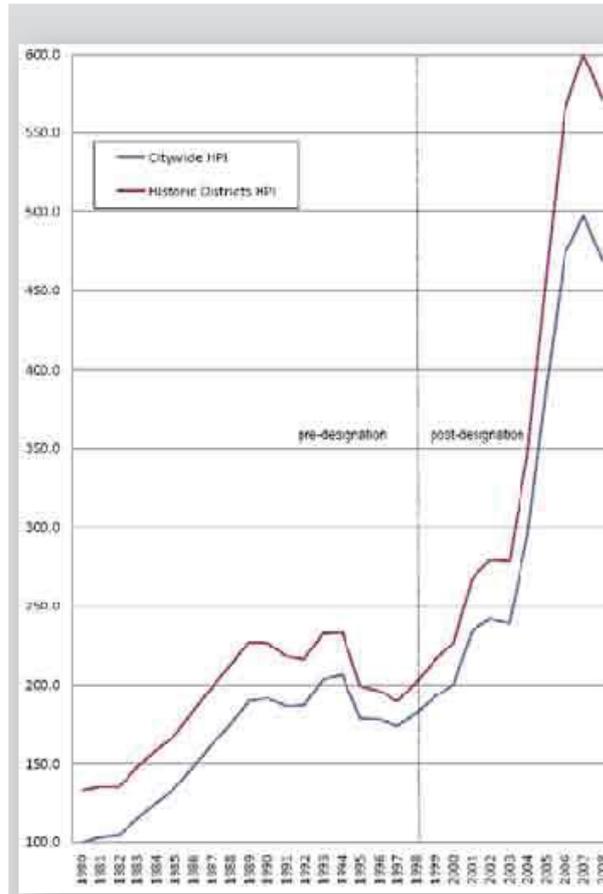


The map shows Local Historic Districts / Landmarks across the State (Source: NC HPO website at <http://www.hpo.ncdcr.gov/>)

Basis

*Stabilizing
Property
Values –*

*Predictability
ensures
investment from
surrounding
changes that
may devalue
properties.*



Property Values

Homes in local historic districts enjoy an immediate 2 percent increase in values relative to the city average, once local designation has taken place; and thereafter, they appreciate at an annual rate that is 1 percent higher than the city average.

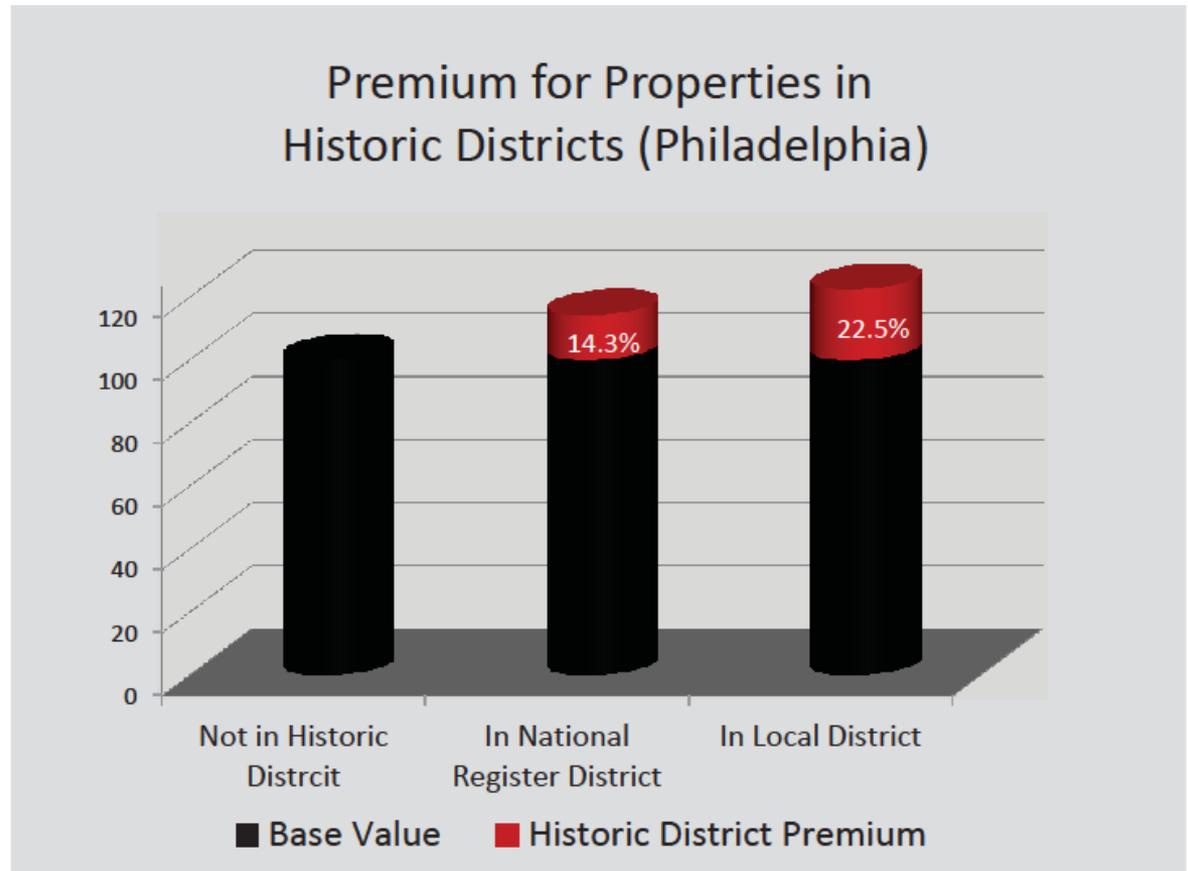
Source: Presentation by Donovan Rypkema – Measuring Economic Impacts of Historic Preservation – July 2012

Basis

Homes in National Register Historic Districts retain value better than houses outside of historic districts,

and

Homes in Local Historic Districts retain their value better than houses in National Register Historic Districts.



Source: Presentation by Donovan Rypkema – Measuring Economic Impacts of Historic Preservation – July 2012

Authority

State law allows communities to establish Historic Preservation Commissions and to designate local historic districts to protect historic structures and areas.

- City Council established the Historic Preservation Commission in 2005.
- 1,200 properties listed on the National Register of Historic Places, making historic renovations eligible for tax credits.
- Assisted Uptown Lexington, Inc. in having the Grimes Mill designated as a landmark on the National Register of Historic Places.
- The Commission has studied and recommended designation of Lexington's first local historic district to City Council for approval.

Important Distinction

- National Register of Historic Places
 - Certified and approved by the National Parks Service
 - Technical assistance provided through the State Office of Historic Preservation
 - No protective regulations
 - Tax credits available to encourage proper restoration based on U.S. Secretary of Interior's Standards
 - Honorary status
 - 1,200 properties in Lexington listed within NR districts.
- Local Historic District
 - Protected through local regulations commonly referred to as Design Guidelines
 - Locally enforced through the Historic Preservation Commission with staff support through Business & Community Development
 - Proposed boundary includes 175 properties, all of which are within a National Register district.

U.S. Secretary of Interior's Standards

10 guiding principles of historic preservation accompanied by a lengthy detailed set of guidelines

- Used by the National Parks Service to determine if historic restoration projects are eligible for tax credits.
- Used by most communities as the basis to develop the guidelines that regulate local historic districts. Each community is free to decide to what degree their local design guidelines align with these standards.

Process

District boundaries and design guidelines become part of the Zoning Ordinance

- Local Historic District
 - overlay zoning district
 - area designated by City Council as worthy of protection
 - properties within the district are subject to Design Guidelines
 - Recommended by Historic Preservation Commission and the Planning Board

- Design Guidelines
 - zoning regulations prescribing appropriate methods for protecting historic structures within a local historic district
 - based on U.S. Secretary of Interior's Standards
 - developed by the Historic Preservation Commission and vetted through a public feedback process
 - recommended by the local Historic Preservation Commission and Planning Board

Proposed Local Historic District

Developed based on original subdivision plat boundaries and revised based on historic report.

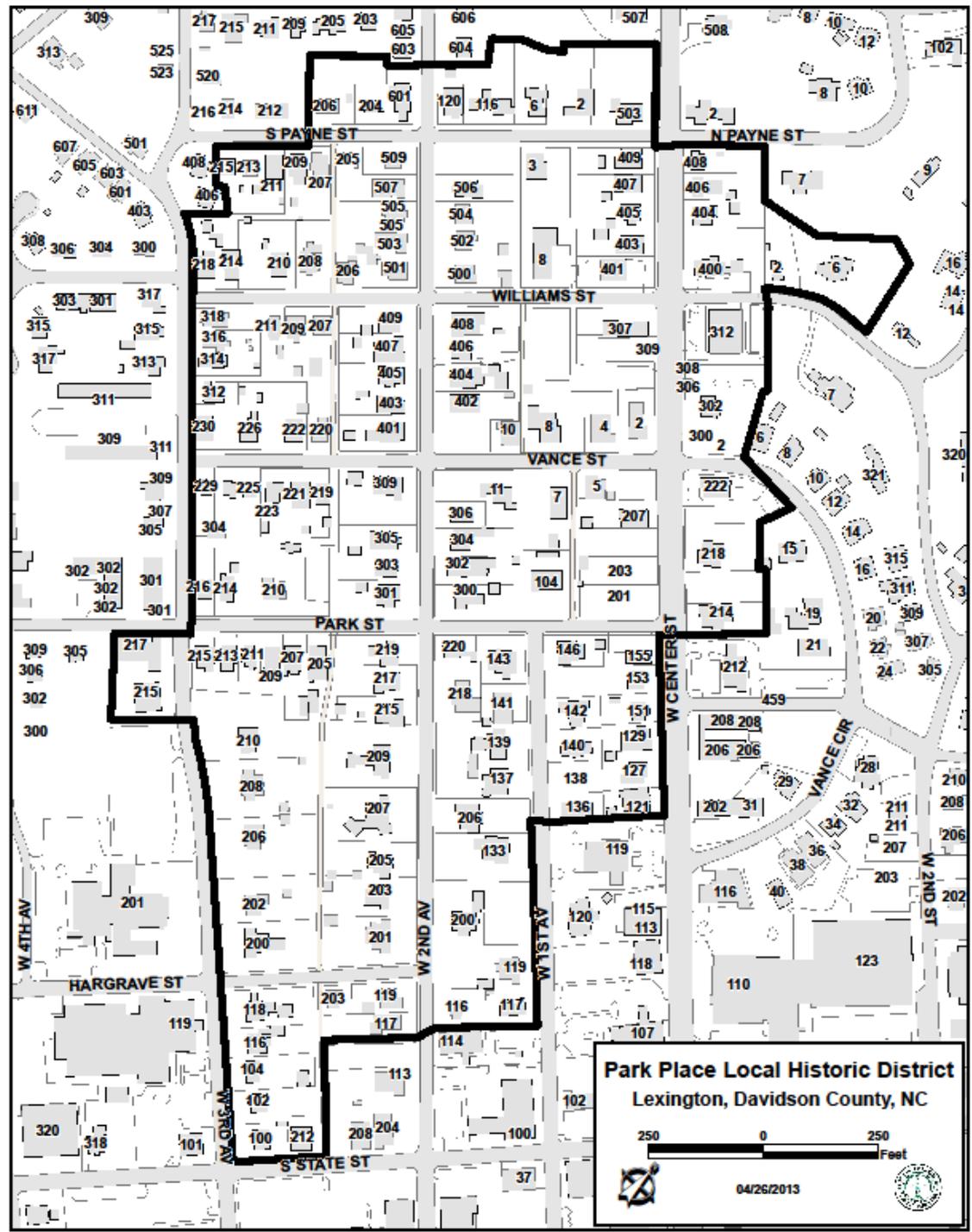
Historically Significant-

National Park Service
NC State Historic
Preservation Office

146 primary resources (houses and businesses)

14 non-contributing structures

Estimated at 65% owner occupied housing



Approval

The approval process is very similar to the existing process for zoning permits.

- Changes to historic properties must receive a “Certificate of Appropriateness,” just like a zoning permit for new construction.
- Local communities can determine to what degree they wish to align with the U.S. Secretary of Interior’s Standards and tailor their local design guidelines accordingly.

Approval

- Zoning Permit
 - Issued for new uses and/or new construction
 - Very minor maintenance projects are exempt
 - Minor Zoning Permits for small projects are issued at staff level
 - Major Zoning Permits for more substantial projects are reviewed by Planning Board and approved by City Council.
 - Proposals must meet design guidelines in the Zoning Ordinance.
- Certificate of Appropriateness
 - Issued for changes to historic properties
 - Very minor maintenance projects are exempt
 - COAs for small projects are issued at staff level
 - COAs for more substantial projects are issued by the Historic Preservation Commission
 - Proposals must meet design guidelines for the historic overlay district in the Zoning Ordinance.

Design Guidelines

A little different than typical regulations, design guidelines contain helpful tips and general information.

- Design Guidelines prescribe appropriate materials and methods to avoid damaging the historic structure, its historic character, or the neighborhood.
- First and foremost it creates an opportunity for closer consideration and conversation
 - Unknowingly, some changes may cause unforeseen long term maintenance or health issues, or detract from property value
- Basically:
 - Maintain first,
 - repair second,
 - if replacement is necessary, use like materials.
 - Avoid introducing incompatible new features.

Lexington's Design Guidelines

The proposed guidelines are lenient relative to most communities, but cover enough to protect the historic character of the neighborhood

- New materials are acceptable if they are proven not to damage structures.
- Vinyl windows are limited to rear and sides that don't face a street, and to replace windows that have already been replaced with vinyl. Other types of replacement windows are permitted if replacement becomes necessary.
- Paint is non-structural, and not regulated. Assistance will be available to help select color schemes.
- The guidelines can be used as a good reference for information in planning a project.

Scenario 1 - Exempt

- Mr. Smith's exterior wooden walls are in need of painting.
- No Certificate of Appropriateness is needed because this is a minor maintenance project.
- He looks through the Design Guidelines for information and finds reference material for safely dealing with lead based paint, and also some general information on color schemes that are appropriate to historic houses.
- He can call City staff for a recommended list of contractors that have experience with wet-scraping and painting historic structures.

Scenario 2 – Minor Work

- Ms. Jones decides to install a fence.
- She contacts the office and is informed that she will need a Certificate of Appropriateness (COA) for this work. (Currently zoning permits are required for fences.)
- She visits the office and staff shares the design regulations for fencing (or she reads the Design Guidelines online).
- She was considering a vinyl fence, but the regulations require “New fences to be designed and installed in a manner that is sensitive to the character of the district, as well as appropriate to the architectural style and period of the historic structure.” Vinyl certainly didn’t fit the bill. She decided to install a wooden picket fence in the front yard and a powder coated chain link fence in the rear. (And, she won’t have to worry about replacing it in a few years.)
- Staff issues the COA for the Minor Work.

Scenario 3 – Major Work

- Lucy recently bought a house within the historic district with intentions of remodeling and building an addition.
- She contacts the office to ask about building permits and is informed that a COA issued by the Historic Preservation Commission will be required for the addition.
- Staff shares that tax credits may be available and provides contact information for the State Historic Preservation Office.
- Relevant portions of the Design Guidelines and an application for a COA are provided. A meeting with the architect is set to discuss the project in more detail.

Scenario 3 - Major Work cont'd

- Lucy decides to apply for tax credits.
- She works with the architect and State to develop plans consistent with the U.S. Secretary of Interior's Standards, and by default, the City's Design Guidelines.
- Plans are submitted to the Commission for the COA, and to the State for tax credit approval.
- Building permits are issued and Jane receives 30% State tax credits for the project, off-setting their out-of-pocket expenses.

Findings

Q. Will it be costly to property owners?

A. No, the guidelines are not retroactive and maintenance is more cost effective than renovation.

- Preservation is cost effective.
 - Maintenance is the most cost effective investment, followed by repair.
- Sources of Energy Loss – It is estimated that more than 80% of all heat loss is attributed things other than single-pane windows
 - Infiltration 35%
 - Leaks in duct work, around chimneys, etc.
 - Windows and doors 18-20%
 - The payback period for replacement windows is typically never.
 - leaks around facing and seals
 - Floors 15-18%
 - Spaces in sub-floor
 - Walls 12-14%
 - Ceilings 10%
 - Research available online from many sources

Findings

Q. Is a local historic district economically viable for Lexington?

A. Yes, studies indicate that historic districts are economic drivers.

- Across NC, as well as the nation, local historic districts have been proven through well-documented studies to stabilize property values, be a selling point for homes, and contribute to the economy. These studies were shared through the public hearing process and in workshops with the Planning Board.
- Protecting the viability of Uptown and the surrounding neighborhoods supports Lexington's #1 goal to redevelop the Depot District.

Findings

Q. Is this area historically significant?

A. Yes, a professional historian, the State Historic Preservation Office, and the National Park Service all agree that it is.

- The area is within a National Register District - approved at the Federal level.
- Fearnbach History Services, Inc. prepared a detailed historic report on the proposed district and submitted it to the State Historic Preservation Office (SHPO) for comment.
- SHPO finds the district to be “historically and architecturally significant...”

Findings

Q. Is the boundary in the right place?

A. Yes, three addresses were recommended to be added and one deleted.

- Fearnbach History Services, Inc. prepared a report and verified the boundary.
- The State Historic Preservation Office concurred.
- Properties within the boundary were certified by the U.S. Parks Service as historically significant when it was included in the National Register.

Findings

Q. Are the Design Guidelines appropriate to Lexington?

A. Yes, though 'guidelines' are a little different from typical zoning regulations. Written with feedback from owners.

- The Guidelines were drafted by the HPC and refined over a four-month public hearing process with active input from property owners.
- The HPC recently recommended a revision to place non-contributing structures in the Minor Works category to streamline the process.

Findings

Q. Should Lexington have local historic districts?

A. Yes, City Council made that determination in 2005.

- In response to citizen request and a lengthy feasibility study, City Council appointed the Historic Preservation Commission in 2005 and directed them by ordinance to:
 - Inventory the city's historic resources;
 - Evaluate and recommend areas appropriate for Local Historic District Designation; and
 - Advocate historic preservation in Lexington.

Process

- 2003- Council appointed Historic Study Committee
- 2004 - Committee presented findings and recommendation
- 2005- Based on recommendation by the Planning Board and the Historic Study Committee, Council appointed Lexington Historic Preservation Commission (HPC)
- 2007/2008 – National Register Districts listed
- 2006 - Grimes Mill approved as local Landmark
- 2008-2012- HPC studied and prepared for Local Historic District recommendation
- March 2012- HPC invites residents to information meeting at the YMCA about proposed Park Place Local Historic District
- April 2012- HPC calls for public hearing to discuss proposed district and design guidelines-
 - May 2012, opened & continued
 - June 2012, held & continued
 - July 2012, held & continued
 - August 2012, held & closed
- October 2012 – HPC makes recommendation
- November 2012 - Planning Board receives HPC recommendation, continued item to December
- December 2012 – Planning Board – staff responds to questions, item is continued
- January 2012 – Two Planning Board workshops held with HPC and Planning Board members
- February 2012 – Planning Board – item continued
- April-June - Historic Report completed, endorsed, submitted to State, comments received from State

Recommendation

- City Council adopt statement of consistency following public hearing.
- City Council adopt Ordinance No. 14-05 to amend the City's Code of Ordinances, Appendix A, Land Use Ordinance, to establish a local historic overlay district and design guidelines.