

Durham Historic Preservation Commission 2013 Certified Local Government Report

1. Name of Preservation Commission

Durham Historic Preservation Commission

2. Staff Contact - who is the city or county employee that provides staff services to the commission?

Name	Lisa Miller
Title	Senior Planner
Mailing Address	101 City Hall Plaza
City	Durham
ZIP	27701
Telephone	919-560-4137
E-mail	lisa.miller@durhamnc.gov

3. How many voting commission members are there?

9

4. How long are commissioners' terms?

3 years

5. Is there a limit to the number of consecutive terms a member may serve?

Yes, 2 terms

Staff and commissioners maintain their qualifications by attending workshops hosted by the HPO and local communities or provided by professional associations such as AIA, APA, etc. Certified Local Government staff and a minimum of 2 commissioners must attend at least 1 such training and education session each year. Satisfactory attendance is required for continued participation in the CLG Program. Workshops are open to all commissions and non-CLG commissions are strongly encouraged to attend.

6. Below is a list of HPO-sponsored or -approved workshops held between October 1, 2012 and October 4, 2013. Please identify the one(s) you and your commissioners attended. Also, if you believe you attended other training that would have been approved by us, please indicate below. (Please note that we are allowing training offered during the 2013 Preservation North Carolina Annual Conference to count for this reporting cycle as that conference is usually held in September.)

- EDENTON - 2013 Preservation North Carolina Annual Conference (Training for Commissions, Part I: HPOWEB GIS Training, October 3, 2013)
- Other (AIA, APA, NCAZO, or specify): Durham CAMP Training

7. Please suggest three training topics that would be most beneficial to you and the preservation commission.

- Understanding and Developing Design Guidelines
- Public Relations / Outreach / Education
- Quasi-judicial Procedures

8. As of September 30, 2013, what is the total number (or your best estimate of the total number) of historic properties your community has LOCALLY DESIGNATED - including individual landmarks and properties within local historic districts? Do not count National Register properties unless they are also locally designated (i.e., zoned); do not count properties which have had their local designation removed.

1251

9. Of the total number, how many were designated between October 1, 2012 and September 30, 2013?

2

10. How many LOCALLY DESIGNATED districts are there in your community? Do not count NR districts unless they are also locally designated (zoned).

7

11. Were any new LOCAL districts designated between October 1, 2012 and September 30, 2013?

No

12. For the period October 1, 2012 to September 30, 2013, please give the number of COA applications

a. Denied	0
b. Withdrawn/Deferred/Resubmitted	8
c. Approved BY STAFF (Minor Work)	88
d. Approved BY A SUBCOMMITTEE (Minor Work)	0
e. Approved by the Full Commission (Major Work)	<u>40</u>
f. TOTAL (add lines 1 - 5)	136

13. How many COA applications were for demolition or relocation?

2

14. For major work, do you advise applicants prior to their hearing before the full commission?

Yes, staff advises

15. Were any COA decisions appealed during the reporting period?

No

16. Do you charge a fee for COA applications?

Yes, separate fees based on type of work, project cost, project size, etc.

17. Please describe your fee schedule.

- Administrative COAs = \$26
- Minor COAs (HPC) = \$209
- Major COAs (HPC) = \$439

18. Not counting COA fees, what is your commission's total operating budget for one year?

0

19. What is the local government's annual appropriation to the HPC?

0

20. Does the preservation commission have any additional sources of funding

No

G.S. 105-278 entitles the owner of any INDIVIDUAL landmark designated under G.S. 160A-400.5 to a deferral of 50% of property taxes owed in each local taxing unit.

21. What is the total number (or your best estimate of the total number) of properties within your commission's jurisdiction CURRENTLY receiving this deferral?

81

22. Does your local government offer any form of incentives (e.g., "value capture," TIF, etc.) that are used, or could be used, to directly or indirectly benefit historic properties?

No

23. Does your local government fund its own grant or loan program(s) that are used, or could be used, to restore or rehabilitate historic properties?

Yes: please describe them, how they are awarded, and how they benefit historic preservation

The City's Office of Economic and Workforce Development has a building improvement grant that has been used on properties within the Downtown Durham historic district to assist in rehabilitation costs. Job creation is a major consideration in the award of these grants.

24. As of September 30, 2013, what is the total number (or your best estimate of the total) of properties where owners have used such a grant or loan?

5

Under G.S. 160A-400.8(3), local preservation commissions are authorized to

"acquire by any lawful means the fee or any lesser included interest, including options to purchase, to properties within established districts or to any such properties designated as landmarks, to hold, manage, preserve, restore and improve the same, and to exchange or dispose of the property by public or private sale, lease or otherwise, subject to covenants or other legally binding restrictions which will secure appropriate rights of public access and promote the preservation of the property."

In other words, properties within local historic districts, or those designated as landmarks, may be acquired by the local government and operated or sold - subject to the terms of a preservation agreement.

25. As of September 30, 2013, have any properties been so acquired?

No

The Certified Local Government (CLG) Program was initiated in 1980 to foster cooperation between the National Park Service, the state historic preservation officers (SHPOs), and local governments. In North Carolina, participation in the CLG program is a prerequisite for preservation grant eligibility; participating CLGs are required to submit an annual report of their preservation commission's activities to the North Carolina Historic Preservation Office.

26. Is your preservation commission a Certified Local Government (CLG) commission?

Yes

27. Were there any vacancies on the commission between October 1, 2012 and September 30, 2013?

Yes (how many?): 2

28. Were all vacancies filled within 60 days as required by federal law?

Yes

29. Were any vacancies filled by new appointments?

Yes, we have new members who have not served before (how many?): 1

A majority of the members of any preservation commission must have education, experience, or a demonstrated special interest in history, architecture, archaeology, or a related field (G.S. 160A-400.7). In addition, CLGs are required to document their good faith effort to appoint professionals from these disciplines.

30. Please indicate the method(s) your local government used during the reporting period to seek professionals to serve on the commission. Remember to provide documentation for each method you used!

Placed announcements in local media specifically recruiting professional members [provide affidavits of publication or copies of ads]

As required by federal law, the HPO must be provided with resumes of each new commission member. Please complete one resume form for each new member appointed during the reporting period. Resumes are NOT necessary for reappointed members. The resume form is in PDF format and is available from www.hpo.ncdcr.gov/clg/SupplementalForms.html. E-mail completed forms to ramona.bartos@ncdcr.gov. Thank you.

The National Park Service likes to have an idea of the running total number of historic properties in all CLGs nationwide. So the first time you complete a CLG report, they ask that you report "baseline" information on your inventory. By "inventory," they mean the number of properties you have identified as "historic:"

a. whether or not any of them have been listed in the National Register or locally designated,

b. MINUS those that have been demolished, lost to deterioration, or so altered as to lose their historic character.

Since the total changes from year to year, once you have initially reported your starting, or "baseline" figure, it's only necessary to update that number from year to year.

31. Our CLG is:

An existing CLG that has reported "baseline" inventory data previously

32. Of the total number of properties in the inventory, how many did you add between October 1, 2012 and September 30, 2013?

0

Federal and State regulations require that Certified Local Governments update their surveys of historic resources by reporting properties whose existence was previously unknown, or whose significance was previously overlooked, and by reporting the loss of surveyed properties which have been destroyed. For survey purposes, relocation is considered the same as destruction.

Certified Local Governments are responsible for reporting this SURVEY information for any property within their jurisdiction, regardless of whether or not those properties have been locally designated or listed in the National Register.

It is not necessary to report this information in communities or counties where a survey is currently in progress.

Survey information is to be reported to the North Carolina Historic Preservation Office so that we can update our records and can be forwarded to us at any time, but it MUST be reported on your annual report if you haven't already informed us. You are encouraged to consult with the Survey and National Register Branch of the North Carolina Historic Preservation Office and/or the Office of State Archaeology whenever you identify structures or archaeological sites which need to be added to the inventory.

Please complete one form for EACH RESOURCE that needs to be ADDED to the survey or reported as LOST. The forms are in PDF format and are available from www.hpo.ncdcr.gov/clg/SupplementalForms.html. E-mail completed forms to ramona.bartos@ncdcr.gov. Thank you.

33. Please summarize the commission's accomplishments, successes, and MAJOR activities during the reporting period. Include grant projects, educational and public awareness efforts, and innovative collaborations. Also describe any significant challenges, problems, or difficult issues faced by the commission during the reporting period.

This year Durham received a Federal pass-through grant to revise and consolidate the local review criteria used in the issuance of certificates of appropriateness for district properties and landmarks. The Commission formed a committee to work with the consultant on identifying issues to be addressed, reviewing drafts, and acting as liaisons to the remainder of the Commission during this process. In addition the Planning Department funded a day-long CAMP training hosted in Durham that all Commission members attended. The discussion and sessions during that training resulted in additional conversations with Planning staff and with the City Attorney's Office to better clarify the Commission's role, their rules of procedure, and their responsibilities.

During this reporting period Durham's historic preservation program has faced a number of challenges. A few of the developers that have brought large downtown projects before the Commission were unhappy with the process, timeline, and/or outcome of their applications. These folks raised concerns to the City Council, Downtown Durham, Inc., and the City Administration. Many of those concerns were unfounded or based on a misunderstanding of the rules by which the

HPC must act. Much of this reporting period has involved efforts by staff and the Commission to inform developers, elected officials, and the broader community of the Commission's responsibilities and the process necessary to change any unsatisfactory historic preservation policies or criteria.

Also, despite information distributed as part of the Local Review Criteria consolidation project, the Commission continues to struggle with retroactive COAs for property owners who either did not know they were in a historic district or did not know the implications of that designation.

Finally, Durham had one of its local historic landmarks de-designated for the first time when the City Council voted to remove the landmark status for Liberty Warehouse Nos. 1 and 2 in May of 2013.

34. The designated CLG staff person, the preservation commission chair, and the chief elected local official(s) hereby affirm that the certified local government meets all standards for certification and continues to operate according to the guidelines for certification as set forth in 36 CFR Part 61 and in the "Guidelines for North Carolina's Certified Local Government Program."

We affirm that, in accordance with N.C.G.S. 160A-400.7, all members of the historic preservation commission are qualified to serve, a majority having demonstrated their competence through either their educational or professional experience or through their special interest in, and knowledge of, historic preservation.

We affirm that the certified local government has made a good faith effort to appoint to the commission professionals from the disciplines of architecture, history, architectural history, planning, archaeology, or a closely related discipline, and have attached written documentation of such effort.

Finally, we affirm that all members meet the residency requirements of N.C.G.S. 160A-360 and 160A-400.7.