Concerning the Proposed Update and Consolidation of Review Criteria for Local Historic Districts:

These proposed consolidated review criteria for local historic districts are not ready for adoption in the form they were submitted to the Planning Commission for the following reasons:

1) The maintenance section of the proposed review criteria are lengthy and there are many bulleted points. Reference to bulleted points by members of the public referring to the criteria is confusing. Instead there should be some system of identifying the criteria points apart from bulleting.

2) On page 36 of the draft submitted to the Commission, under the headings "Maintenance, " and the subheading "For Non-Contributing Properties," the last bullet (See how difficult it is to refer to specific items in this section of the criteria document?) says that no COA is required for "Alterations of architectural details, cladding material." This standard as it relates to architectural detail is so broad that it provides no guidance to users of the criteria. Arguably, every exterior feature on a building is an architectural detail. In essence, this provision exempts all non-contributing structures from COA review. That is not what is intended (or otherwise, all the other bullet points would be useless). Let's say what we mean here. As the owner of a house in a local historic district and a person who has been through the COA process, I support some softening of standards as they may apply to non-contributing properties and to new construction. I do not approve the wholesale abandonment of standards for such structures. Their modification and construction must be reviewed in the context of their place in the district and the effect their modification of construction may have on nearby properties and the district as a whole. Changes in cladding material must be reviewed. The criteria for approval of changes for non-contributing and new properties may be different from those used to judge contributing properties, but there should be no general exemption form review.

3) On page 44, the building in the illustration is not a new accessory structure. It is an old structure that was modified with a COA to allow an accessory dwelling. There is a new accessory structure in the W-H district behind the contributing house at 1106 Alabama Avenue that will fit the caption well.

4) On page 47, under the heading "Non-Contributing Properties," section A.1 (fortunately these criteria are encodified) says that modifications to non-contributing structures "shall not completely change the architectural style of the original structure." This criteria, written in the negative, is so broad that it provides no clear indication of what is allowed and what is not allowed. It cannot instruct the citizen trying to comply with the criteria and it can provide no guidance to the HPC member trying to decide whether to allow or disallow the requested COA. "Shall not completely change" is meaningless. When is a change complete? How much of the original style must remain for the changes proposed by the owner to fall short of a complete change? A board on the back? The doorknob and its escutcheon? Or just the doorknob? We know what we mean here. Let's scrap this and talk instead about the elements of style and use language that the law is comfortable with such as "substantially change." This may seem like a difference without a distinction, but "substantial" has a definition and when

guide by illustrative language, is sound legally. The same problem occurs again on page 61.

Because I cannot approve these new criteria going forward as they are proposed and because the changes to the individual historic district preservation plans include incorporation of the proposed review criteria, I voted against approval of the changes to the preservation plans. Each plan is an inseparable package with the new criteria.