

<b>REQUEST</b>	Text amendment to Section 10.206 of the Zoning Ordinance
<b>SUMMARY OF PETITION</b>	<p>The petition proposes to:</p> <ol style="list-style-type: none"> <li>1) extend the validity period for a Historic District Commission Certificate of Appropriateness from six months to 12 months;</li> <li>2) allow a 12-month renewal of the Certificate of Appropriateness; and</li> <li>3) add a new provision allowing the Zoning Administrator to grant an administrative approval for the restoration/replacement of documented historic features on an existing Historic Landmark structure, or a structure located within a historic district, if the feature would encroach into a required yard or buffer.</li> </ol>
<b>PETITIONER AGENT/REPRESENTATIVE</b>	Charlotte-Mecklenburg Planning Department Charlotte-Mecklenburg Planning Department
<b>COMMUNITY MEETING</b>	Meeting is not required.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Centers, Corridors and Wedges Growth Framework</i> goal to protect existing neighborhoods.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• Extending the initial validity period, as well as the renewal period, for a Historic District Commission Certificate of Appropriateness from six to 12 months is consistent with similar standards in many other cities in North Carolina, and allows more flexibility for major construction projects. In addition, because of the level of complexity in urban preservation projects or changing conditions affecting a property, the extensions are appropriate for Charlotte.</li> <li>• Allowing the Zoning Administrator to grant an administrative approval for the restoration/replacement of historic features on an existing Historic Landmark structure, or a structure located in a historic district, allows for the restoration/replacement of missing features.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Background**
  - Most exterior work in Charlotte’s local historic districts requires a Certificate of Appropriateness, a document that states that the proposed work is appropriate for the historic district.
  - Currently, a Certificate of Appropriateness is valid for six months, and can be renewed for another six-month period, upon written request by the applicant, with a valid reason. In other jurisdictions, the duration period for a Certificate of Appropriateness varies, but is typically at least 12 months, with some being able to renew indefinitely.
  - The Certificate of Appropriateness for projects requiring a building permit becomes null and void if:
    - A building permit is not obtained within six months after the Certificate of Appropriateness is issued, and
    - A request for renewal is not submitted within six months after the issuance of the Certificate of Appropriateness.
  - Currently, the Zoning Administrator has no authority to allow historic features on an existing Historic Landmark structure or a structure located in an historic district to be restored or replaced if the features would encroach into a required yard or required buffer.
- **Proposed Request Details**

The text amendment contains the following provisions:

  - Modifies the validity period for a Historic District Certificate of Appropriateness from six months to twelve months.

- Modifies the Certificate renewal period from an additional six months to an additional twelve months upon written request of the applicant or property owner.
- Clarifies that failure to request a Certificate renewal before the initial twelve-month period expires will require the project to be resubmitted to the Historic District Commission for a new review and Certificate of Appropriateness, if:
  - A building permit has not been obtained, or
  - Work not requiring a building permit has not been completed.
- Adds a new provision allowing the Zoning Administrator to grant an administrative approval for the restoration/replacement of historic features on an existing Historic Landmark structure or a structure located in a historic district, that can be substantiated by documents, or physical or pictorial evidence, if the feature would encroach into a required yard or buffer.
- **Public Plans and Policies**
  - This petition is consistent with the *Centers, Corridors and Wedges Growth Framework* goal to protect established neighborhoods.

#### **TRANSPORTATION CONSIDERATIONS**

- No issues.

#### **DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Not applicable.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No issues.

#### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Department Comments
  - Charlotte Department of Neighborhood & Business Services Review
  - Transportation Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Engineering and Property Management
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Urban Forestry Review

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