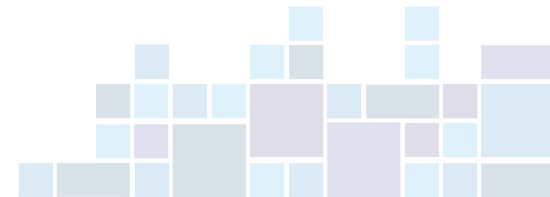


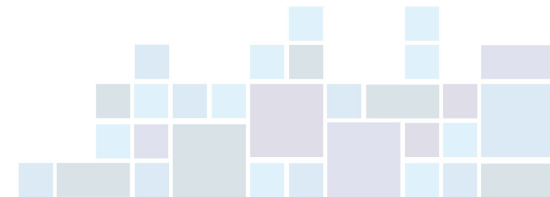
Neighborhood Conservation in the Unified Development Ordinance

Ken Bowers, AICP
Planning Director



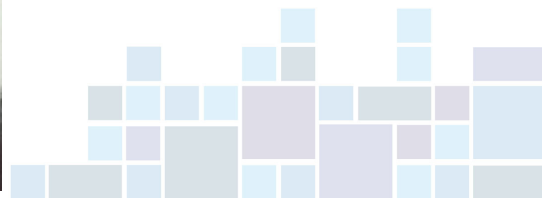
Overview

- Zoning authority in North Carolina
- Residential zoning districts
- Infill development standards
- Neighborhood Conservation Overlay Districts
- Historic Overlay Districts



History of Zoning

- 1916 New York City Zoning Resolution
- 1923 Standard State Enabling Act (U.S. Chamber of Commerce)
- 1926 U.S. Supreme Court upholds zoning in Euclid v. Ambler
- 1930 all states have adopted some form of the enabling act




Purposes of Zoning

- Traditional
 - Health, safety, welfare
 - Light, air, open space
 - Congestion, overcrowding
 - Appropriate use of land
- Nouveau
 - Aesthetics
 - Community character
 - Economic development
 - Growth management



160A-383: Purposes in View

Zoning regulations shall be designed to promote the **public health, safety, and general welfare**. To that end, the regulations may address, among other things, the following public purposes: to provide **adequate light and air**; to prevent the **overcrowding of land**; to avoid undue concentration of population; to **lessen congestion in the streets**; to **secure safety from fire, panic, and dangers**; and to facilitate the **efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements**. The regulations shall be made with reasonable consideration, among other things, as to the **character of the district** and its peculiar suitability for particular uses, and with a view to **conserving the value of buildings** and **encouraging the most appropriate use of land** throughout such city.



Prohibited Residential Regulations

- Exterior building color
- Type or style of exterior cladding material
- Style or materials of roof structures or porches
- Exterior nonstructural architectural ornamentation
- Location or architectural styling of windows and doors, including garage doors
- The number and types of rooms
- The interior layout of rooms.



Permitted uses in R Zones

	Detached	Attached	Townhouse	Apartment
R-1	✓			
R-2	✓	C		
R-4	✓	C	C	
R-6	✓	✓	C	C
R-10	✓	✓	✓	✓

✓ = Principle permitted use

C = Conservation Subdivision Only



Bulk standards in R Zones

	R-4	R-6	R-10
Lot area	10,000	6,000	4,000
Lot width	65	50	40
Principal Building Setbacks			
Front	20	10	10
Side	10	5 - 15	5 - 10
Rear	30	20	20
Accessory Structure Setbacks			
Front	50	50	50
Side	20	5	20
Rear	5	5	5
Structure Height			
Principal	45'/3 stories	45'/3 stories	45'/3 stories
Accessory	25'	25'	25'

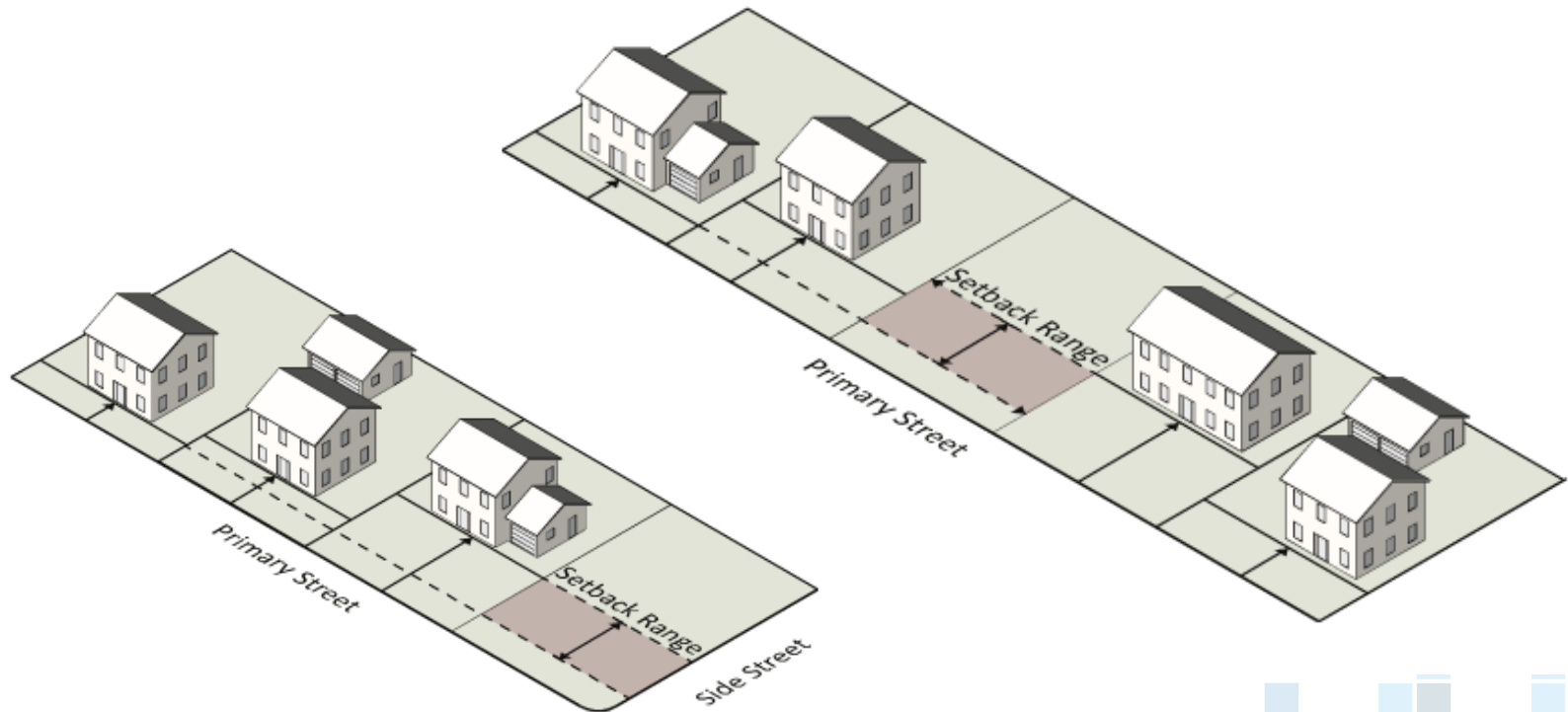


Residential Infill Compatibility

- Applies in R-4, R-6 or R-10 district where:
 - The total site area is 5 acres or less;
 - At least 50% of the side and rear property lines abut existing detached or attached building types
 - The lot must have been recorded for at least 20 years, including subsequent recombinations or subdivisions of the original lot.

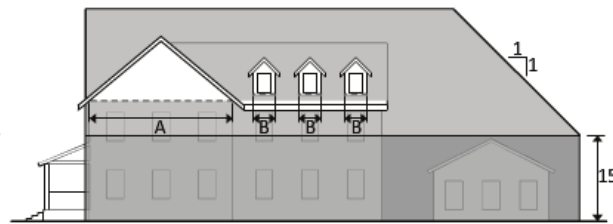
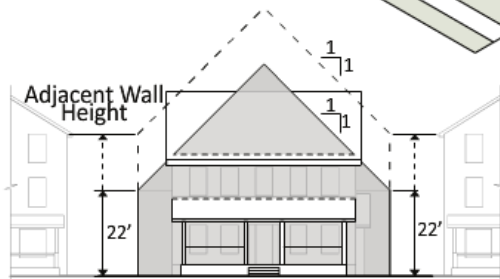
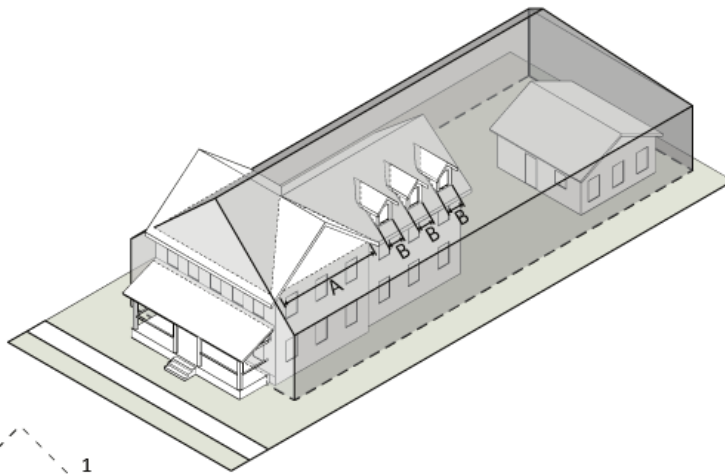


Contextual Setbacks



Side Wall Height

- 22' or average of adjoining sidewalls
- Exceptions for side-gabled roofs and dormers
- Additional height with additional setback

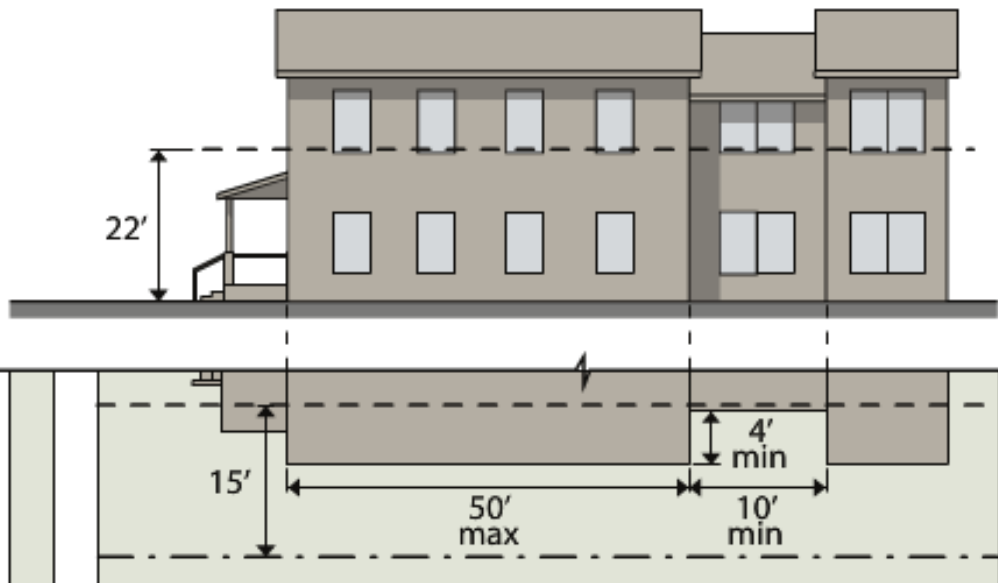


A= Not more than 30'
B+B+B+...= Not more than 15'



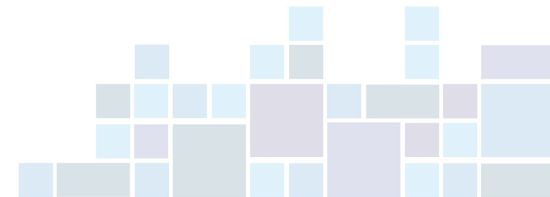
Side Wall Length

- Articulation is required for side walls on additions or new construction that are 22 feet or taller and located within 15 feet of the side lot line.



Neighborhood Conservation Overlay Districts (NCODs)

1. Required minimum net area
2. Maximum residential density
3. Setbacks
4. Height
5. Vehicular surface areas.

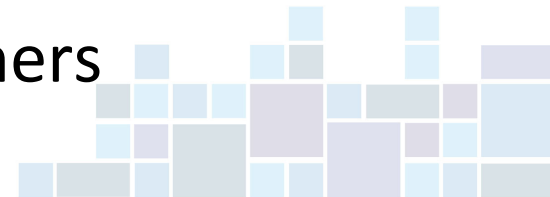


Sample NCOD: Laurel Hills

	R-4	NCOD
Minimum lot size (square feet)	10,000	21,780
Minimum lot frontage (feet)	20	45
Minimum lot width (interior/corner)	65/80	100
Front yard setback (feet)	20	50
Maximum building height (feet)	40	35

NCOD Process

1. Petition City Council
2. Neighborhood study
3. UDO Text Change petition
4. Rezoning petition
 1. 15 contiguous acres, 75% developed
 2. Signed by majority of property owners



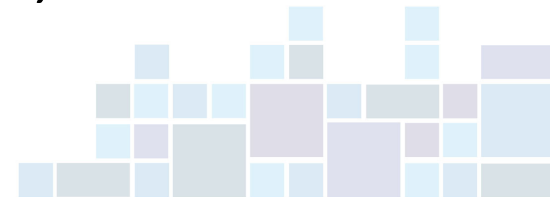
Historic Overlay Zoning

- Certificate of Appropriateness (COA) review for new construction, additions, alternations, demolition, and moves
- Building height & placement can vary from base zoning
- Demolition of an historic structure can be delayed up to one year



Eligibility & Boundaries

- Based on an investigation and report describing the significance of the buildings, structures, features, sites or surroundings and a description of the boundaries of the district
- Review by the Historic Development Commission, NC Department of Cultural Resources, and Planning Commission (optional)



HOD process

- Investigation & report of historic significance
- RHDC recommends boundaries
- Application is typically city-initiated
- Remaining process is similar to any other city-initiated rezoning



Thanks!



Neighborhood Conservation District (NCOD)

PNC Neighborhood Character Discussion

June 6, 2016

Bynum Walter, AICP

Senior Planner

Agenda

- What is an NCOD?
- Creating a new NCOD



What is an NCOD?

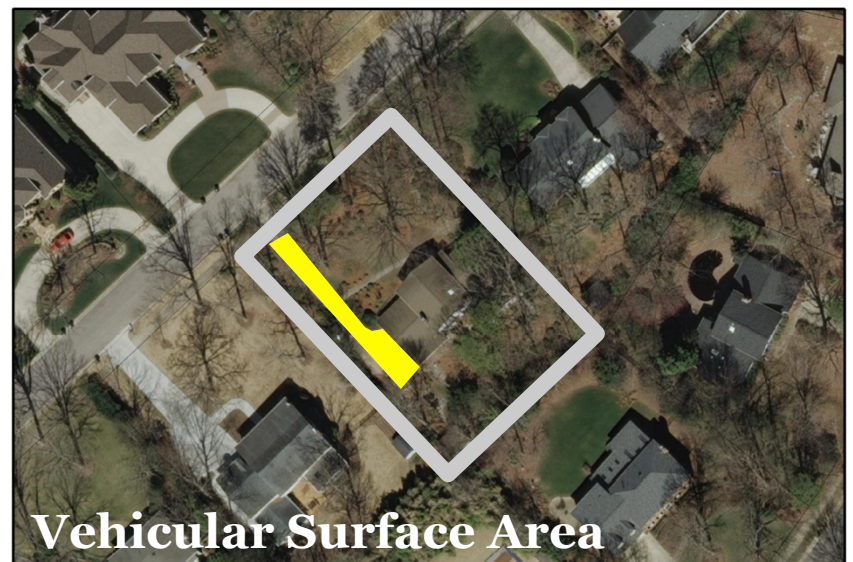
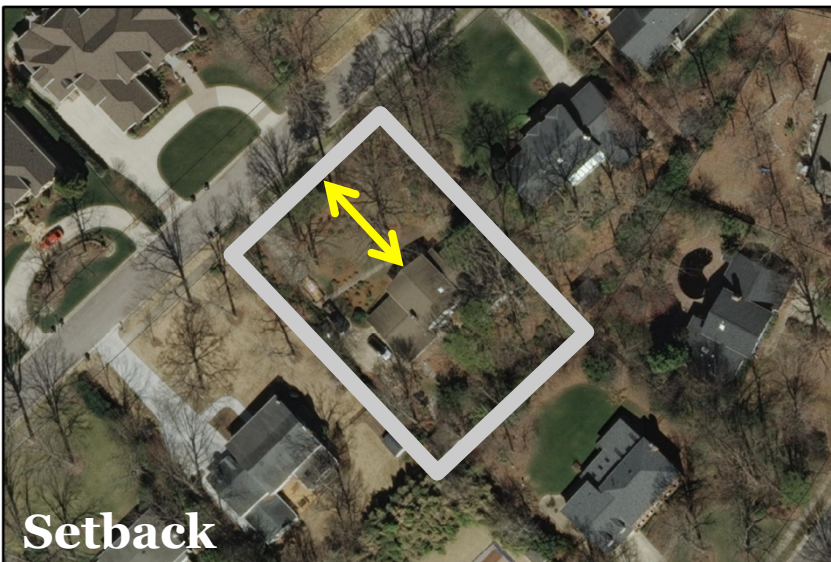
- Neighborhood Conservation District
- Overlay zoning district
- Regulation in addition to base zoning
 - Every property has zoning
 - Zoning regulates things like lot size, building setbacks, building height, and permitted uses

What is an NCOD?

- Specific development standards for an identified neighborhood
- Intended to preserve the built character of an area
- 17 NCODs in current code + 1 being considered

What can an NCOD regulate?

- Measurable features
- Lot size, width, frontage
- Maximum residential density
- Setbacks – front, back, and side; varies for midblock or corner lots
- Height
- Vehicular surface area



What can't an NCOD regulate?

- Qualitative features
- Tree preservation and landscaping
- Building style or character
- Materials



NCOD Requirements

Minimum qualifications:

- At least 15 acres in area
- At least 75% of lots are already developed



How to Create an NCOD

3-Part Process

1. Built Environmental Characteristics Study
2. Text Change - Define the NCOD and add to city code
3. Rezone – apply to property



Built Environmental Characteristics
and Regulations Report
North Ridge South



RCP
RALEIGH
DEPARTMENT OF
CITY PLANNING

Background

In early December, residents of the North Ridge South neighborhood in North Raleigh submitted a petition to City Council requesting consideration for a neighborhood built environmental characteristics and regulations analysis. This analysis is the first step in the potential creation of a Neighborhood Conservation Overlay District (NCOD). NCODs are zoning overlays that preserve and enhance the general quality and appearance of neighborhoods by regulating built environmental characteristics such as lot size, setbacks, residential density, building height, and vehicular surface area. NCODs generally apply more restrictive standards than base zoning districts. As stated in the citizen's petition, the intent behind the request is to maintain the current built character of the area and prevent subdivision of existing lots.

Per City Council's direction, Planning staff has completed an analysis of the particular built characteristics requested by the North Ridge South residents: lot size, lot frontage or lot width, front yard setback, and vehicular surface area. The petition also requested analysis of lot width at the building setback line, but this characteristic was removed from the analysis—with consent from the author of the petition—since the city's zoning code already requires that minimum lot widths extend for the entire depth of a parcel. This report presents results of the analysis.

Part 1: Study

- Built Environmental Characteristics Study
 - Requested by Citizens Petition – studies measurable features of neighborhood
 - What features are common today?
What is the predominant character?
 - Results presented to neighborhood meeting of affected property owners, then City Council



Built Environmental Characteristics
and Regulations Report
New Bern - Edenton



Part 2: Text Change

- Authorized by City Council
- Proposed language reviewed by Planning Commission and City Council
- Decision process includes Public Hearing

Part 3: Rezoning

- Rezoning application signed by more than 50% of affected property owners
- Requires neighborhood meeting with affected property owners
- Reviewed by Planning Commission and City Council
- Decision process includes Public Hearing

Rezoning Process



★ Indicates opportunity for public input

Thanks!

Read more in UDO Sec. 5.4.3. Neighborhood Conservation District (-NCOD)

Learn about NCOD in process, visit www.RaleighNC.gov, search for North Ridge South NCOD

bynum.walter@raleighnc.gov
919-996-2178

Historic Overlay Districts (HOD-G and HOD-S)

PNC Neighborhood Character Discussion

June 6, 2016

Tania Georgiou Tully
Preservation Planner

Agenda

- What is an HOD?
- Two types of HOD
- Creating a new HOD



What is an HOD?

- Intended to preserve and protect the built character of an area with special significance in history, prehistory, archaeology, architecture, culture
- Historic Overlay District
- General development standards (*Design Guidelines for Raleigh Historic Districts*) for all districts with Special Character Essays for the specific neighborhoods



What can an HOD regulate?

- Exterior changes including:
 - Building form
 - Roof shape
 - Design elements
 - Setbacks
 - Height
 - Materials
 - Demolition
 - Tree removal
 - Color (except HOD-S)
 - And more

ARTICLE XV — CERTIFICATE OF APPROPRIATENESS LIST

The following list is provided as a general outline of the level of review that may be expected for various types of projects. It is not intended to be comprehensive, and cannot be used to determine the level of review for a specific project. The assignment of work to a review category is a general guideline, and projects may require a higher level of review.

A Certificate of Appropriateness is not necessary for **Routine Maintenance**, which includes repair or replacement where there is no change in the design, materials, or general appearance of elements of the structure or grounds. Certificates of Appropriateness are issued for all other projects. Any repair or replacement where there is a change in the design, materials, or general appearance is defined as an alteration and needs a Certificate of Appropriateness.

Minor Work projects are reviewed by the staff. Staff will refer Minor Work projects to the COA Committee for review if in staff's judgment the change involves alterations, additions, or removals that are substantial, do not meet the guidelines, or are of a precedent-setting nature.

Major Work projects are reviewed by the Commission's COA Committee. In general, major work projects involve a change in the appearance of a structure or site, and are more substantial in nature than routine maintenance or minor work projects, such as new construction, expansion of a building footprint, or significant changes in landscape features.

	TYPE OF WORK	STAFF REVIEW (minor work)	CERTIFICATE OF APPROPRIATENESS COMMITTEE (major work)
0	ROUTINE MAINTENANCE (includes repair or replacement where there is no change in the design, materials, or general appearance of elements of the structure or grounds)	NO REVIEW	NO REVIEW
1	Construction of a new primary structure		X
2	Additions less than 25% to a primary structure		X
3	Additions 25% or greater to a primary structure		X
4	Demolition of any primary contributing structure		X
5	Demolition of any primary non-contributing structure		X
6	Relocation of structures		X
7	Removal of any contributing part of a structure		X
8	Alteration/Removal of Archeologically Significant Features		X
9	Alteration of Accessory Structures with no expansion of building footprint	X	
10	New Accessory Structures with total area less than 144 sq. ft.	X	
11	New Accessory Structures with total area 144 sq. ft. or greater		X

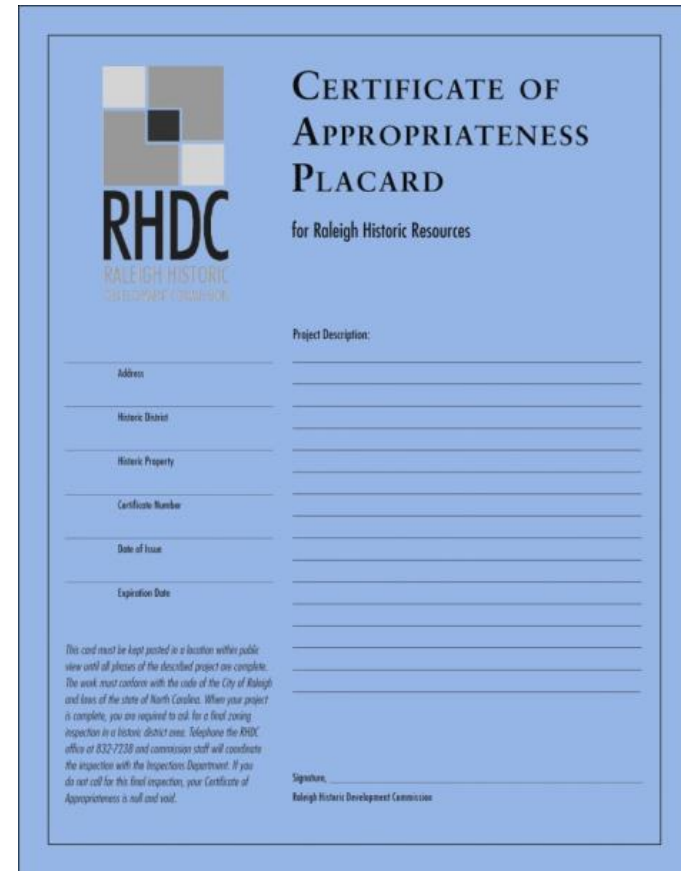
What can't an HOD regulate?

- Use
- Lot size



How is an HOD regulated?

- Certificate of Appropriateness (COA) Process
- Two levels of review
 - Major Work (evidentiary hearing)
 - Minor Work (administrative approval)
- Design Review



The image shows a sample of a Certificate of Appropriateness Placard. It is a light blue rectangular form with a thin black border. In the top left corner is the RHDC logo, which consists of a square divided into four smaller squares, with the top-left and bottom-right squares being white and the top-right and bottom-left squares being grey. Below the logo, the text 'RHDC' is written in a large, bold, black sans-serif font, and 'RALEIGH HISTORIC DEVELOPMENT COMMISSION' is written in a smaller, black sans-serif font below it. To the right of the logo, the title 'CERTIFICATE OF APPROPRIATENESS PLACARD' is written in a large, bold, black sans-serif font, and 'for Raleigh Historic Resources' is written in a smaller, black sans-serif font below it. Below the title, there is a section labeled 'Project Description:' followed by a series of horizontal lines for text entry. To the left of this section, there are several fields with horizontal lines for text entry, labeled 'Address', 'Historic District', 'Historic Property', 'Certificate Number', 'Date of Issue', and 'Expiration Date'. At the bottom left, there is a paragraph of small text that reads: 'This card must be kept posted in a location within public view until all phases of the described project are complete. The work must conform with the code of the City of Raleigh and laws of the state of North Carolina. When your project is complete, you are required to call for a final zoning inspection in a historic district zone. Telephone the RHDC office at 832-7238 and commission staff will coordinate the inspection with the Inspection Department. If you do not call for this final inspection, your Certificate of Appropriateness is null and void.' At the bottom right, there is a line for a signature, labeled 'Signature:', and below it, the text 'Raleigh Historic Development Commission'.

CERTIFICATE OF APPROPRIATENESS PLACARD
for Raleigh Historic Resources

RHDC
RALEIGH HISTORIC DEVELOPMENT COMMISSION

Project Description:

Address _____

Historic District _____

Historic Property _____

Certificate Number _____

Date of Issue _____

Expiration Date _____

This card must be kept posted in a location within public view until all phases of the described project are complete. The work must conform with the code of the City of Raleigh and laws of the state of North Carolina. When your project is complete, you are required to call for a final zoning inspection in a historic district zone. Telephone the RHDC office at 832-7238 and commission staff will coordinate the inspection with the Inspection Department. If you do not call for this final inspection, your Certificate of Appropriateness is null and void.

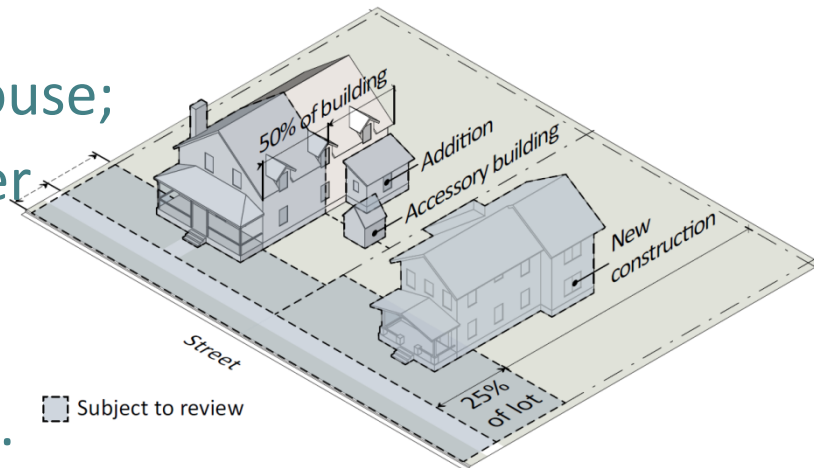
Signature: _____
Raleigh Historic Development Commission

Two types of HOD

- General Historic Overlay District
 - All exterior changes require a COA
 - Oakwood, Boylan Heights, Prince Hall, Blount Street, Moore Square, Capitol Square
- Streetside Historic Overlay District
 - Exterior changes proposed that are visible from the street (as defined in UDO) required COA
 - Glenwood-Brooklyn

Streetside HOD

- What is considered visible from the street?
 - The yard up to the front wall of the house;
 - First 25% of the depth of the lot for vacant lots;
 - First 50% of the depth of the house;
 - Additions that are taller or wider than the existing house;
 - New house on a vacant lot;
 - Accessory building in side yards.



HOD Requirements

Special significance in terms of:

- history, prehistory, archaeology, architecture, culture

Possess integrity of:

- design, setting, materials, feeling and association



How to Create an HOD

1. Required investigation and report describing the significance
2. Report review by RHDC & SHPO
3. Rezone – apply to property

The image displays two documents related to the rezoning process in Raleigh. The background document is a 'Rezoning Application' form from the Department of City Planning, dated 11/20/15. It includes sections for 'REZONING REQUEST' (with checkboxes for General Use, Conditional Use, and Master Plan) and 'GENERAL INFORMATION' (with fields for Property Address, Property ID#, Nearest Intersection, Property Owner/Address, Project Contact Person/Address, Owner/Agent Signature, Phone, Email, Fax, and Property Size (acres)). A note at the bottom states: 'A rezoning application will not be considered complete until all required submit components listed on the Rezoning Checklist have been received and approved.' The URL 'WWW.RALEIGHNC.GOV' is printed at the bottom right, along with the text 'REVISION 04/05/16' and 'JUL 1 2016'.

Overlaid on the top right is a 'Historic Research Report' document, dated 'Adopted 4/5/16'. The title is 'HISTORIC RESEARCH REPORT FOR THE DESIGNATION OF THE GLENWOOD-BROOKLYN DISTRICT AS A HISTORIC OVERLAY DISTRICT'. It is prepared for the City of Raleigh by Mary Ruffin Hanbury, Hanbury Preservation Consulting, Raleigh, dated October 2015. The report was edited by City of Raleigh staff on January 2016. It is based on the 2001 National Register Nomination by J. Dan Pezzoni, Landmark Preservation Associates.

Investigation and Report

- Neighborhood or City Council initiated
- Prepared by an architectural historian
- Results presented to Raleigh Historic Development Commission



RHDC Vote & Referral

- Raleigh Historic Development Commission vote
 - If found to meet the criteria for designation, demolitions are subject to a possible 180-day delay
- Referred to City Council
- City Council refers to State Historic Preservation Office (SHPO)
- SHPO provides comments within 30-days

Rezoning

- Rezoning application with report and investigation and SHPO comments
- Requires neighborhood meeting with affected property owners
- Reviewed by Planning Commission and City Council
- Decision process includes Public Hearing (No required percentage property owner buy-in. City Council discretion.)

Rezoning Process



★ Indicates opportunity for public input

Thanks!

Read more in UDO Sec. 5.4.1. General Historic Overlay District (-HOD-G) and 5.4.2 Streetside Historic Overlay District (-HOD-S)

To learn more about overlays, visit www.RaleighNC.gov and search for “Character Preservation.”

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919-996-2674