



Historic Overlay Districts

Frequently Asked Questions



This document is a compilation of typical questions on the creation of Historic Overlay Districts and the Certificate of Appropriateness process. Other resources on the City of Raleigh and RHDC websites include:

- [Certificate of Appropriateness \(COA\)](#)
- [Raleigh Historic Development Commission](#)
- [Character Preservation Overlay Districts](#)
- [Design Guidelines for Raleigh Historic Districts and Landmark](#)
- [Unified Development Ordinance](#)

Historic Overlay District (HOD) Designation Process

Q1: What is a Historic Overlay District?

A1: A Historic Overlay District is a zoning overlay district specifically crafted for preservation of neighborhoods with identified historic assets. This is accomplished through a design review process that prioritizes preservation of historic building features and overall external appearance. Regulations associated with an HOD are largely concerned with changes to the external portion of the building and property such as building materials, landscape features, architectural features, additions.

Q2: What are the procedures and steps involved in attaching an overlay to the zoning of our property? At which stages can details of the proposal still be influenced?

A2: The steps vary depending on the proposed overlay district. The steps for Neighborhood Conservation Overlay Districts (NCOD) and Historic Overlay Districts are described on the [Character Preservation Overlay District webpage](#). Once a petition is filed the rezoning process is the same as for all rezoning petitions.

Q3: What are the criteria for HOD designation?

A3: Locally designated historic districts are areas which are deemed to be of special significance in terms of their history, prehistory, architecture, archeology or culture, and to possess integrity of design, setting, materials, feeling and association.

**Q4: How are boundaries determined?
Who decides?**

A4: Historic district boundaries are determined by an architectural historian as part of the designation report. The designation report may be a revision of an existing National Register Historic District nomination or a new study. The process includes researching plats, visual reconnaissance surveys, and reading of existing histories. Boundaries are drawn around the largest concentration of properties with historic and architectural integrity associated with the history of the area. The boundaries and report are reviewed by the State Historic Preservation Office as well as the Raleigh Historic Development Commission.

Q5: Who decides what is "historic"?

A5: The designation report described in answer 3 includes an architectural inventory section written by an architectural historian that describes every building in the potential district and states if it contributes to the architectural character and significance of the district.

Q6: What is a Special Character Essay?

A6: A Special Character Essay is brief written description of the character of a district that is included in the *Design Guidelines for Raleigh Historic Districts and Landmarks*. The essay is a critical part of the review process because each district is distinctly different. It aids both property owners and City staff to understand the special characteristics that define a neighborhood.

Q7: What is the Raleigh Historic Development Commission's (RHDC) role in the designation process?

A7: RHDC's mission is to identify, preserve, protect, and promote Raleigh's historic resources. In that role the commission has a responsibility to survey the city to determine neighborhoods and individual buildings that may be eligible for designation as local and/or National Register historic districts and landmarks. The commission and staff meet with neighborhood groups and the public to provide information on the benefits and responsibilities of designation. Before a designation report can be sent to City Council, RHDC must review and formally vote on whether the district meets the criteria for district designation (see answer 2).

Q8: Who has the right to speak up, object, weigh in, etc. on this subject? (i.e., can a lobbyist, developer who doesn't own property in the discussed area, another property owner in adjacent property, etc. be part of the decision?)

A8: The Unified Development Ordinance (UDO) does not specify who can or cannot speak. However, City Council generally considers input from property owners to be critical and necessary.

Q9: What is the required percentage of property owner support? How is support or opposition determined?

A9: Property owner support is needed at several points of the process. The Unified Development Ordinance (UDO) does not require a specific percentage of owner support for designation as a Historic Overlay District. If a neighborhood group is requesting funding from the City to prepare a designation report a small level of support must be provided to RHDC by the neighborhood group. This is generally accomplished through door-to-door canvassing or an online poll. Polling information should include the names and physical addresses of signatories. Polling is done by the neighborhood group, not City staff. For City Council to direct staff to begin the rezoning process and file a petition it is recommended that there be about 50% of property owners in support. A similar level of support should also be provided to City Council at the official public hearing if a rezoning application is filed. This polling is also prepared by the neighborhood group and is generally accomplished through some form of signed petition that includes the names and physical addresses of signatories.

Q10: How do you intend to survey the citizens' interests in being included in an HOD?

A10: Surveying of the neighborhood is done by the neighborhood group proposing designation.

Q11: Is support or opposition shown with one response per property owner or one response per property?

A11: Either way is acceptable as long as the method is consistent and documented.

Q12: What recourse do we have to remove our properties from the proposal?

A12: Property owners have multiple opportunities to express their opinions about the boundaries for a historic district, including public meetings at City Council.

Q13: Does the UDO or State Law place a moratorium on the issuance of demolition permits pending the adoption of an historic overlay district?

A13: No. However, during the pendency of a HOD the RHDC may delay demolition for up to 180 days. This determination is made through the COA process.

HODs in General

Q1: How do historic districts affect resale values?

A1: Economic studies nationally have shown that historic district designation generally increases property values. A June 2014 study documents that Raleigh's historic districts not only add character and distinction to the City, they also leads the city in a multitude of economic and quality of life metrics.

Q2: Are there tax advantages to historic district designation?

A2: Historic Overlay District designation does not include financial incentives. Rehabilitation tax credits are available to some properties in National Register Historic Districts.

Q3: Will the use of my property change because of HOD designation?

A3: No. The HOD is an overlay district and does not regulate land use. Uses allowed by the base zoning will remain the same.

Q4: Are all buildings in an HOD district subject to COA review?

A4: Yes. All buildings in the HOD, whether historic or not, are subject to COA review. Changes to vacant parcels also require a COA.

Q5: What is the point of HOD designation?

A5: Each neighborhood has its own reasons for seeking designation. From a code standpoint, HOD-G designation seeks to preserve the overall historic character of the district, as well as the key, character-defining details of each of the contributing resources, and to assure that new construction is compatible with this historic context. An HOD-S is established to provide for protection of the traditional development patterns of an area and to preserve historic resources found in it. The focus is on maintaining that character and on preserving those key character-defining features of individual historic resources within the district, as viewed from the street right-of-way, excluding alleys.

Q6: What is a streetside historic overlay district (HOD-S)?

A6: It is a zoning overlay that provides for protection of the traditional development patterns of an area and to preserve historic resources found in it. The focus is on maintaining that character and on preserving those key character-defining features of individual historic resources within the district, as viewed from the street right-of-way, excluding alleys.

Q7: If we can show neighborhood support for HOD designation are there grants available to help finance the writing of our designation report?

A7: Potentially. The proposed 2019 budget requests funding from City Council to pay for up to two reports annually.

Q8: Who appoints the Raleigh Historic Development Commission; what are their terms; do they have a dedicated staff to review the COAs?

A8: The RHDC consists of twelve members, appointed by City Council to overlapping two-year terms. Members have a demonstrated interest or training in fields related to historic preservation, and reside within the city's extraterritorial jurisdiction (at least one-quarter must live or own property in designated historic overlay districts or historic landmarks). There are currently 3 full time City Planning staff who support the RHDC and are responsible for COA application review.

Q9: Is there a way to stop the teardowns in my neighborhood or to regulate the buildings that go up in their place if we don't want a historic district?

A9: In the City of Raleigh, HOD designation is the only mechanism that affects demolitions in a neighborhood. New construction is regulated in several ways in the UDO: infill standards, Neighborhood Conservation Overlay Districts, and HODs.

Q10: How am I supposed to be notified about this process?

A10: Notification methods vary depending on the stage of the designation process. The methods include postcard mailings to property owners, emails and door to door canvassing by neighborhood groups, the City's website, the City's subscription email system, formal mailings to property owners, and signs.

Certificate of Appropriateness (COA)

Q1: What is the process for obtaining a COA and who makes the decision?

A1: The COA process is described on the Certificate of Appropriateness (COA) page in the City of Raleigh's Development Services Guide. COA applications are either approved by staff (Minor Work) or decided by the COA Committee of the Raleigh Historic Development Commission in a monthly quasi-judicial evidentiary hearing (Major Work). The COA List of Work provides a general outline of the level of review that may be expected for various types of projects that are often undertaken.

Q2: How are COAs reviewed?

A2: COA applications are reviewed using the Design Guidelines for Raleigh Historic Districts and Landmarks.

Q3: Is color regulated?

A3: In the HOD-G changing exterior paint colors is reviewed as a Minor Work COA application. Color is not regulated in the HOD-S.

Q4: What are the COA approval statistics for the HOD-G and HOD-S districts?

A4: From 2008 to 2018 1,890 COA applications were processed. Of those, 66% were approved by staff and 32% were approved by RHDC. Another 1% were denied and 1% withdrawn or other.

Q5: Can my request to demolish a building be denied? What factors are considered in evaluating this request?

A5: No, demolition cannot be denied. However, the RHDC may approve the request with a demolition delay of up to 365 days to allow time to explore alternatives to loss of the building. Section 4.2 of the Design Guidelines addresses demolition. Factors considered include the significance of the building to the character of the Historic Overlay District; the impact of the demolition on the character of the district; the physical condition of the building; plans for mitigating the demolition; alternatives explored.

Q6: What kinds of projects require a Certificate of Appropriateness (COA)?

A6: All exterior work that would result in the change in the design, materials, or general appearance of elements of the structure or grounds requires a COA. The [COA List of Work](#) provides a list of various types of projects that are often undertaken. In the HOD-G the entire lot is regulated. In the HOD-S only a portion of the lot is regulated. See the section of this document on HOD-S for more details.

Q7: Q – Are all primary buildings in a HOD (HOD-G or HOD-S) district subject to COA review?

A7: Yes, as well as changes to vacant properties.

Q8: Are there any materials approved for use in the HOD district that can be used in place of deteriorated historic wood?

A8: New wood. Some substitute materials have been approved for use in places where the historic wood was deteriorated beyond repair and the feature is prone to moisture. Currently approved items include: column bases and capitals, window sills, and the lowest course of siding. In all of the COA cases, the substitute material had a smooth paintable surface.

Q9: Is there a right to appeal a COA decision?

A9: Yes. Appeals of Minor Work COAs are filed with the RHDC as a Major Work COA application. Appeals of Major Work COAs are filed with the Board of Adjustment.

Q10: Would modern designs still be able to be built?

A10: Yes. The introduction of compatible but contemporary new construction can add depth and contribute interest to the district. Each COA application is decided based on the context and character of the specific district.

General Historic Overlay District (HOD-G) Specific COA Questions

Q1: Does the construction of a deck require a COA?

A2: Yes.

Q2: Can I change the exterior paint color without a COA?

A2: No. A COA is needed to change paint color in the HOD-G.

Q3: Q – Do I need to obtain a COA if I am adding on to an existing building?

A3: Yes.

Streetside Historic Overlay District (HOD-S) Specific COA Questions

Q1: What needs a COA for Streetside HOD?

A1: Only changes within the regulated area of the property requires a COA. Section 5.4.2.B of the UDO addresses the areas of a lot and building subject to regulation. (See illustration); Generally speaking these are the areas where a change would require a COA.; the yard up to the front wall of the house; the first 25% of the depth of the lot for vacant lots; the first 50% of the depth of the house; additions that are taller or wider than the existing house; a new house on a vacant lot; accessory building in side yards. See the COA list of work.

Q2: In an HOD-S, are alleys considered public rights-of-way or streets?

A2: No. For the purpose of determining what area is subject to the COA process alleys are not considered public rights-of-way.

Q3: Are corner lots reviewed in the same manner that other lots are?

A3: Yes, except that because corner lots are adjacent to two public rights-of-way more of the property will be in the regulated area. Through lots (front and rear property lines on a street) also have a larger area subject to COA review.

Q4: Can I change the exterior paint color without a Certificate of Appropriateness (COA) in an HOD-S?

A4: Yes. Color is not regulated in the HOD-S.

Q5: Do I need to obtain a COA if I am adding on to an existing building?

A5: Maybe. If the addition is not taller or wider than the existing building a COA is not required. If it is taller or wider than the existing building, or it includes a new dormer or impacts the front 50% of the house a COA is likely required. This [document](#) provides additional guidance.

Q6: Does the construction of a deck require a COA?

A6: In most cases, no. If the deck is within the first 50% of the house a COA is required. A side deck that is not in the first 50% of the depth of the building would not need a COA.

Q7: Can windows be replaced? if so what limitations would be in place?

A7: Changes to windows in the first 50% of the depth of the building require a COA. Section 2.7 of the Design Guidelines addresses changes to windows. Replacement of non-historic windows and those determined to be deteriorated beyond repair are reviewed as Minor Work applications and typically meet the Design Guidelines. Thus far wood windows have only been approved to be replaced with new wood windows.

Q8: Are there restrictions on landscaping, planting and removal of trees, hedges and walls?

A8: Changes in the yard area up to the front wall of the building are subject to the COA process. The [COA List of Work](#) provides a general outline of the level of review that may be expected for various types of landscape projects.

Q9: Is tree removal regulated?

A9: Tree removal in the regulated area requires a COA. Replacement trees are typically required.