

**Attachment B**

**AN ORDINANCE TO AMEND PROVISIONS OF THE UNIFIED DEVELOPMENT ORDINANCE REGULATING HISTORIC LANDMARK CRITERIA**

**WHEREAS**, the Durham County Board of Commissioners wishes to amend a certain provision regarding historic landmark criteria in the Unified Development Ordinance; and

**WHEREAS**, it is the objective of the Durham County Board of Commissioners to have the UDO promote the health, safety, and general welfare of the community;

**NOW, THEREFORE**, be it ordained that Article 3, Applications and Permits, is amended to make the following changes:

**SECTION 1**

Modify Section 3.17, Historic District or Landmark Designation, paragraph 3.17.4, Designation of an Historic Landmark, paragraph A, Criteria for Designation, as set forth in the strikeouts and underlining below.

**Sec. 3.17 Historic District or Landmark Designation**

**3.17.4 Designation of an Historic Landmark**

**A. Criteria for Designation**

- 1.** A building, structure, site, area or object may be considered for designation as an historic landmark only if all of the following three criteria are met:
  - a.** The property must not currently be undergoing renovation unless it has been approved for state or federal tax credits in accordance with the Secretary of Interior Standards.
  - b.** The HPC must deem and find that the building, structure, site, area, or object meets at least one of the three following criteria:
    - (1)** Individual listing on the National Register of Historic Places or on the Study List;
    - (2)** Statewide Significance status granted by the State Historic Preservation Office;
    - (3)** Integrity of location, design, setting, materials, and workmanship, feeling and association on the whole, and:
      - (a)** Is associated with events that have made a significant contribution to the broad patterns of local, regional, or national history; or
      - (b)** Is associated with the lives of persons significant in local, regional, national history; or

- (c) Embodies the distinctive characteristics of a type, period, or method of construction; represents the work of a master; possesses high artistic values (i.e., the architecture alone is significant in its own right); or
  - (d) Has yielded, or may be likely to yield, information important to Durham's history or prehistory.
- c. The governing body must deem and find that the property possesses distinction within the context or period of significance.

***Commentary:*** *A building, structure, site, area or object whose components lack individual distinction may still be considered a landmark if the whole is significant.*

2. A property shall be designated as a historic landmark only with the consent of the property owner or owners.

**[Paragraphs B-G are omitted.]**

## **SECTION 2**

That the Unified Development Ordinance shall be renumbered as necessary to accommodate these changes and clarifications.

## **SECTION 3**

That this amendment of the Unified Development Ordinance shall become effective upon adoption.