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Town Planner's Review
DURHAM PLANNING BOARD
Wednesday, March 23, 2016

***Please note that the **Mill Plaza** public hearing and review have been postponed to the May 11, 2016 Planning Board meeting at the applicant's request.

- X. ***Public Hearing - Historic District Ordinance - Amendments***. The Town Council formally initiated numerous proposed amendments to Article XVII – Durham Historic Overlay District, pursuant to changes proposed by the Historic District Commission. The changes involve administrative matters, delineation of the district, purview of the commission, procedures, submission materials, review criteria, required maintenance and demolition by neglect, standards for review of signs, and other matters. Following the hearing(s), the Planning Board will submit its recommendation on the amendments to the Council.
- I recommend that the board hold the public hearing, keep it open to April 13, make any appropriate changes to the document, and then refer it to the HDC for comments at the April 7 HDC meeting. If the HDC has comments at that meeting, the Planning Board can consider them at the April 13 meeting.

Please note the following:

- 1) Amendments. A revised document is included in the packets. It is dated March 23. The Planning Board requested a number of changes to the draft which I have incorporated.
- 2) Background. The Historic District Commission worked on changes to the existing ordinance over many months and forwarded those to the Town Council for consideration. The Town Council made several changes/additions to those requested changes and then initiated the amendment at its meeting on February 15. The Planning Board briefly reviewed the document on February 24. The board held a public hearing on March 9 and continued its review.
- 3) Broad review. Unlike a more typical zoning amendment initiated by the Town Council, where there are one or several specific proposed amendments, in this case the entire Historic District Ordinance article has been reviewed. Thus, I think that it is appropriate and beneficial for the Planning Board to take a fresh, broad view of the article, as it has done, and offer any recommended changes even beyond those that the Town Council has initiated.

(over)

- 4) Signage. As discussed at the March 9 meeting, I met with Barbara Dill, Planning Board member, and Andrea Bodo, HDC Vice Chair, and we have proposed significant changes to Section G. Signage – Design Standards. A new proposed section is shown in the document. We have no standards for review of signage in the existing ordinance. The HDC developed this first version and the Town Council included it in the amendments. I think that the new proposed version is an improvement over the prior one.
- 5) Town Attorney comments. Several changes recommended by the Town Attorney have been incorporated into the document. The Town Attorney expressed concerns about the section on Demolition by Neglect which the board should discuss.
- 6) Public hearing and process. I recommend the board make any appropriate changes to the document on March 23, if possible, so that it can then be sent to the HDC for review on April 7. The HDC's following meeting is May 5. Once the board has made its final changes, we will need to schedule a new public hearing on this revised document. *It would be best that the board be very comfortable with the finalized document once it sets a date for a new public hearing because if additional (meaningful) changes are made after the new public hearing, we would then need to schedule a third public hearing.* If all goes well, after the new public hearing, the board will vote to recommend adoption of the revised document. I will clarify the process: it might involve the Planning Board: a) recommending that the Council document not be adopted; and b) formally initiating its own document.
- 7) Timeframe and extension. After the Planning Board completes its review, we will forward its recommendations to the Town Council, which will then hold its own public hearing prior to adoption. Per the Zoning Ordinance, the Planning Board must submit its recommendation to the Town Council within 60 days of the referral to the board. The Council initiated the amendments on February 15 so the board has until its meeting on **April 13** to submit its recommendation. Pursuant to the discussion at the March 9 Planning Board meeting, the Town Council will consider granting an extension at its meeting on March 21.

Here is the ambitious schedule that I recommend (or this could take additional meetings depending on the reviews, public hearings, and discussions):

- March 23 – public hearing, continue public hearing to April 13, make appropriate changes to the document, send it to the HDC for review (if it is ready)
- April 7 – HDC review and comments (or the HDC continues its review to May 5)
- April 13 – Public hearing still open, Planning Board review of HDC comments, make any additional changes, give public a final chance to comment, close public hearing, finalize document, set new public hearing for April 27
- April 27 – public hearing, hopefully endorse document as written, and forward it to the Town Council

The following Planning Board meetings are May 11, May 25 (workshop), and June 8.