



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: August 24, 2006

SUBJECT: Neighborhood Conservation Program

Introduction

The concept of Neighborhood Conservation Districts (NCDs) has been proposed as a solution for various neighborhood livability issues by the 2005 Comprehensive Plan, City Council Common Goals, and the Historic East Urbana Neighborhood Association’s (HUENA) plan. Specifically,

- The 2005 Comprehensive Plan includes an implementation strategy to “Develop a ‘Conservation District Ordinance’ and consider neighborhoods that could obtain conservation district status based on residents’ desires” (p. 88). And as a strategy for neighborhood stability in West Urbana, the plan’s Future Land Use Map #8 calls for exploration of Neighborhood Conservation District strategies.
- City Council’s Common Goals include “Develop conservation Districts for historic and sensitive areas of the city. Conservation districts should include review of demolitions, approval of new construction. And design guidelines applied by MOR style Design review Board or as fixed requirements required by zoning ordinance.”
- HUENA’s neighborhood plan calls for “conservation areas” to promote “compatible construction and remodeling styles,” and to “preserve the residential quality of the old neighborhood”.

Neighborhood Conservation Districts are essentially a form of overlay zoning designed to protect specific neighborhood characteristics through new design requirements added to underlying zoning. For example, a particular neighborhood of predominantly cottage-style homes might require that new construction conform to the prevailing building form. NCDs can also be designed to protect significant economic and social aspects through physical design. For instance, to protect affordable housing, some communities with traditional neighborhoods of smaller, affordable homes have implemented NCDs which impose a maximum floor area standard. Obviously NCDs need to be customized to meet the needs of the particular community

in which they are being used.

Because of these calls to implement NCDs in Urbana, City staff has conducted extensive research on the functions and procedures of NCDs across the country. This research is provided in the attached “Neighborhood Conservation District Study for the City of Urbana, Illinois (May 2006)”. This report concludes that many of Urbana’s livability issues cross neighborhood boundaries and cannot be approached through zoning alone. Based on this research, city staff have identified a set of initiatives as a neighborhood conservation program which forms a comprehensive approach to neighborhood conservation. This program is designed to tackle specific issues under the broader objective of neighborhood preservation using targeted tools and approaches. This memo provides an overview of initiatives. Although some are already being implemented by the City, they have been included here as part of a neighborhood conservation program because they are important tools for neighborhood preservation. These initiatives include:

Proposed Initiatives

- Creating an overlay zone for the Lincoln/Busey Corridor with design guidelines for alterations and new development.
- Exploring the potential of rezoning selective blocks in East Urbana
- Assisting in the creation of a private community development corporation to promote housing rehabilitation and home ownership.
- Identifying potential historic districts

Existing Projects

- Work plans for maintaining streetscapes and improving roads (completed annually by Public Works).
- Improving enforcement of occupancy limits (Fall 2006).
- Improving ordinances impacting property maintenance (Summer 2006).
- Improving requirements and enforcement for gravel parking lots (research underway)

Background

The attached study on Neighborhood Conservation Districts provides the background and basis for preserving neighborhood character and livability. This study has three goals: 1) analyze commonly cited neighborhood issues in Urbana, 2) define Neighborhood Conservation Districts and how they work, and 3) determine whether NCDs are an adequate solution to neighborhood issues in Urbana. The following is an overview of this study.

Neighborhood Issues

As previously stated, both Urbana residents and City Council members have referred to NCDs as a potential solution to current neighborhood issues such as deteriorated housing, parking design and congestion, transformation of owner-occupied homes to rental properties, poorly maintained sidewalks, and nuisances such as noise and trash.

This report primarily focuses on the West Urbana and East Urbana neighborhoods. Research for two case studies included interviews with City Councilmembers and neighborhood leaders, research of neighborhood documents and reports, review of applicable part of the 2005 Urbana Comprehensive Plan, and a visual survey of the neighborhoods.

The Historic East Urbana Neighborhood Association completed a neighborhood plan that describes their neighborhood issues in detail. First on the list of goals and objectives is “Investment in Housing Stock,” and second is “preservation.” When interviewed Councilmember Roberts and two other active HEUNA leaders agreed that the most critical issues for their neighborhood is retaining the owner-occupied single-family housing. Other key issues are: poor property maintenance, poorly maintained brick sidewalks, lack of curb and gutters along many blocks, and incompatible design of new multi-family units.

The West Urbana Neighborhood Association (WUNA) is also concerned with the conversion of owner-occupied, single-family homes to rental units as well as poor property maintenance. West Urbana residents are also concerned about incompatible new multi-family units and the loss of homes and open space for parking lots that accompany such high-density uses. Other issues of concern expressed by Councilmembers Bowersox and Smyth include: maintaining the walkability of the neighborhood, requiring buildings to “face” the street, and protecting the traditional density of the neighborhood.

Based on the West Urbana and East Urbana case studies, it is clear that Urbana is experiencing a growing need for planning initiatives that address preserving and promoting the quality of life in these neighborhoods.

Neighborhood Conservation Districts

As part of staff’s research, a number of cities across the country using neighborhood conservation districts were surveyed. Many NCDs are carried out through traditional zoning and can be structured as either stand-alone zoning districts and overlay districts. Stand-alone zoning creates new zoning districts and applies only to parcels with that zoning; whereas, overlay districts are regulated based on a specified geographic area (i.e neighborhood boundaries) in addition to the underlying zoning designation. Although NCD structures differ in each case, they generally include one or more of the following functions:

- *Historic Preservation.* NCDs are used to protect homes in a district that does not quite qualify for historic district status, or NCDs may be implemented in communities that desire less stringent regulation of historic properties. It is important to note that NCDs do not have the “teeth” of a local historic district for protecting historic properties and has the potential to dissuade residents from pursuing historic district status.
- *Neighborhood Planning.* Creating a neighborhood plan is an important part of NCD designation. The planning process allows residents to clearly define the issues and the characteristics the neighborhood values.

- *Design Guidelines.* These guidelines can be thorough prescriptions for architectural detail, landscaping, setbacks, and building height or more broad descriptions of the types of structures that are appropriate for the neighborhood. Generally, guidelines fall into two categories: those that preserve historic character and those that aim to guide overall form and character.

The first step to establishing Neighborhood Conservation Districts is to create enabling legislation in the zoning ordinance. Subsequently, NCDs are nominated and approved based on the process outlined in the ordinance, which varies among communities.

When creating NCD ordinances, four organizing principles were found which fall in two opposing categories:

- Incentive based verses mandatory review, and
- Administrative versus commission review.¹

Incentive based ordinances rely on tax breaks, grants, or other incentives to promote standards. Mandatory review, on the other hand, is regulatory and requires property owners to apply for and obtain approvals before making alterations to their property. Additionally, NCDs carried out administratively just require approval from City staff for alterations to their property whereas, a commission would require applications to be reviewed by a board or commission for approval. Most communities using surveyed for the report use mandatory commission review for most changes and administrative review for minor alterations in NCDs.

Another important aspect of the process for creating NCDs is neighborhood involvement. NCDs implemented entirely administratively may experience much public opposition. Including residents in the planning process and in developing the regulations offers a sense of ownership and encourages compliance with the regulations. Residents can be involved through focus groups, by attending open house meetings, as members of a task committee, and as members of a board that might regulate the district.

Discussion

Evaluation of NCDs as a Solution to Urbana's Neighborhood Concerns

Given interest in Urbana to use neighborhood conservation districts as a potential solution to neighborhood issues, a serious evaluation was carried out. (see attached *Neighborhood Conservation District Study for the City of Urbana, Illinois.*) This study, however, finds that Neighborhood Conservation Districts should not be viewed as the most effective tool to deal with many of the concerns that Urbana neighborhood residents have for issues such as poorly maintained housing, parking, noise, and trash. Rather than implementing Neighborhood Conservation Districts, specific initiatives are recommended which would be targeted at

1. Larson Fisher Associates. *Neighborhood Conservation District Study for the Town of Brookline, MA.* Woodstock, NY: Larson Fisher Associates, September 2005.

conversion of owner-occupied homes to rentals, property maintenance, nuisances, and other neighborhood preservation-related issues.

The primary reason NCDs are not seen as the most effective way in dealing with these issues is that NCDs are limited by its reliance on zoning. Zoning does not effectively deal with issues such as conversion of owner-occupied homes to rental units, poor property maintenance, nuisances, and public improvements (sidewalks, streets, lampposts, street trees, etc). Also, zoning standards are traditionally intended to apply to districts throughout the city, while NCDs generally apply to discrete areas based on neighborhood boundaries. In Urbana's case, most neighborhoods are already zoned for low density development which is the strongest form of protection against introduction of high-density developments. That is not to say that some neighborhood are experiencing the effects of incompatible development, but enacting a new zoning district for an entire neighborhood when problems are occurring in concentrated areas may be placing an unwarranted burden on the rest of the neighborhood.

Having said this, the study found that neighborhood residents could benefit from several functions of Neighborhood Conservation Districts, including neighborhood plans and overlay districts for discrete areas.

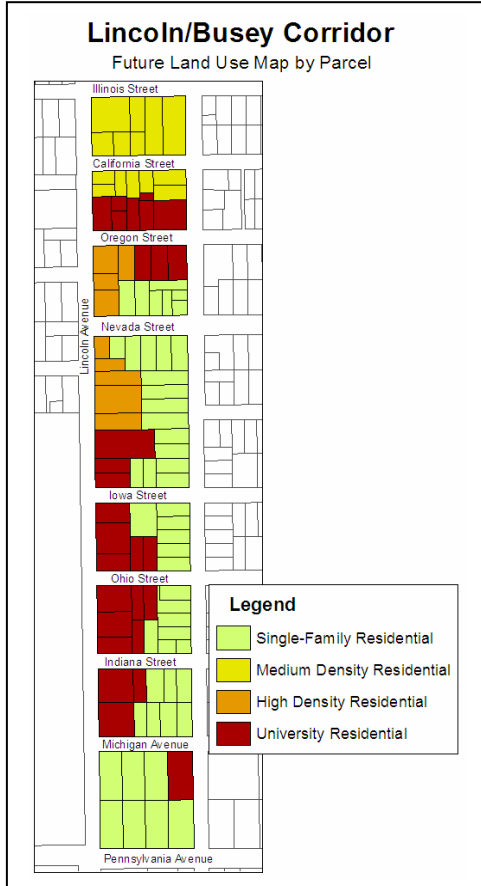
- *Neighborhood planning would be beneficial for all Urbana neighborhoods.* The examples of neighborhood plans used for creating NCDs are effective for neighborhood planning in general. Either city staff or neighborhood associations can use the examples as guides to create a plan for their neighborhood. The planning process may also involve an educational component that would provide residents with a better understanding of current codes, leading to better enforcement.
- *An overlay district could protect threatened areas of Urbana Neighborhoods.* An overlay district with design review would protect the areas of Urbana's neighborhoods that are most threatened by incompatible development. The examples of NCDs with design guidelines might be useful for Urbana to consider, although the MOR, Mixed Office Residential District, is an existing area of design review in Urbana that can also serve as a model. The areas of Urbana that could benefit from design review are the Busey Corridor (line of properties between Lincoln Ave and Busey Avenue) and properties along Main and Elm Streets in East Urbana. Both areas of Urbana have concentrated apartment dwellings and zoning which supports those higher density uses. Design review would ensure that new construction is compatible with the single-family residential character of the area.

Description of Neighborhood Conservation Program

Because as a zoning tool Neighborhood Conservation Districts appear to have limited benefit for the particular issues facing Urbana's older neighborhoods, staff is proposing a multi-faceted neighborhood conservation program customized for Urbana's particular needs. Although these initiatives as described below are to be carried out as separate actions, they are included under the overall objective of neighborhood conservation. Some of the initiatives are new and others have already been carried out or are in the beginning implementation stages and are included here because they are an important component to neighborhood preservation.

New initiatives

Design Review for Lincoln/Busey Corridor. In neighborhood focus groups meeting to help formulate the Comprehensive Plan, residents of the West Urbana Neighborhood voiced concern over incompatible rental properties within the area.



As a result of the Downtown-to-Campus Plan, and consistent with the existing development, most of the neighborhood was down-zoned to R-1 and R-2 (single-family residential). However, many properties in the Lincoln/Busey Corridor remain zoned R5, R6, and R7 (Medium to high density residential). As an area of transition between the University and a single-family residential area of Urbana, development within the Lincoln/Busey Corridor will impact the character of the rest of the West Urbana Neighborhood.

Although the *Neighborhood Conservation District Study* determined that a NCD zone for the entire West Urbana Neighborhood may not be the most successful means to deal with the neighborhood concerns, the study did identify the usefulness of carrying out design review for development in the Lincoln/Busey Corridor. An overlay district should include design review for alterations and new construction on property within the district. Design review will ultimately ensure that changes will be compatible with the single-family properties nearby.

Standards for design review in the Lincoln/Busey Corridor should be based on building form and design. The format may be similar to the Mixed Office Residential District, and design review could be carried out by same board, the Development Review Board.

Private Community Development Corporation. Many residents in Urbana are concerned with single-family residences being converted to multi-family rentals. Over time, these units may become deteriorated and blighted. In order to preserve and in some cases restore neighborhood character, it could be advantageous to convert multi-family and single-family rentals to owner-occupied homes.

A private, non-profit community development corporation could acquire, repair, and convert problematic multi-family homes to single-family and sell them with covenants that ensure they remain owner-occupied housing. Both the Historic East Urbana and West Urbana neighborhoods could benefit from a community development corporation as described.

Because the West Urbana Neighborhood is not within a community development target area and income levels are too high to qualify for Community Development Block Grants (CDBG), city funds would be severely limited for rehabilitation of properties in that neighborhood. However, the city, and ideally the University as well, can help such an initiative by offering residents technical assistance in establishing a private organization for neighborhood revitalization.

Rezoning Selective Blocks in East Urbana. The Comprehensive plan identifies areas of East Urbana with inconsistent zoning. Several blocks of single-family homes are zoned for medium density multi-family use. Rezoning these areas in East Urbana would insure that development is at the proper scale for the existing residential character.

The city is currently beginning work on a neighborhood plan for the East Urbana Neighborhood. The plan will document areas of East Urbana that have inconsistent zoning and may offer recommendations to rezone areas where residents feel this should occur.



Urbana Comprehensive Plan, Future Land Use Map #10.

Potential Historic Districts. Local historic landmark or district designation offers the highest degree of protection for historic neighborhoods. As a local landmark or historic district, exterior change to a building or group of buildings requires review administratively or before the historic preservation commission. Moreover, new additions and new construction are reviewed for compatibility with surrounding structures in the historic district. The commission approves or denies the request to ensure that the neighborhood or district maintains historic integrity.



Properties facing Carle Park

Many properties in Urbana, especially within the West Urbana neighborhood, would qualify for historic landmark or district status. Specifically, Carle Park and the surrounding homes would be an appropriate nomination for a Local Historic District as well as the homes within the boundaries of Florida Avenue to the south, Michigan Avenue to the north, Lincoln Avenue to the west, and Race Street to the east. Another potential historic district is Urbana’s downtown and surrounding residential properties along Main Street. These areas include significant architectural examples, and most of the properties have been well-maintained and retain a high degree of historic integrity.

Students at the University of Illinois have surveyed many of the older homes in Urbana. The surveys are maintained by the City’s Community Development Services Department and are available for use in historic district nominations.

Existing Initiatives

Streetscape Preservation. Urbana’s streetscapes (roads, sidewalks, streetlamps, trees, etc) provide character to each neighborhood. The City has invested tremendously in our streetscapes over time through a tree planting program, road and sidewalk improvements, brick sidewalk restoration, and other initiatives. The streetscape improvements are an asset to our community both financially and in terms of community character, and they should be protected.

Street improvements are primarily carried out by the Public Works Department, and they will continue maintaining and improving Urbana’s streetscapes. A brick sidewalk plan is in place for the Historic East Urbana neighborhood, and the CIP demonstrates other improvements planned for Urbana’s streets. The following improvements are anticipated:

- Sidewalk construction and repairs
- Brick sidewalk cleaning and spot repair as well as major repairs and replacement
- Road construction and resurfacing
- Sanitary and storm sewer maintenance
- Brick path construction and design
- Street lighting installation and replacement, and
- Traffic signal installation



Streetscape maintenance and improvement is an essential component of neighborhood preservation.

Property maintenance. Neighborhood residents have voiced concerns over property maintenance. This is an issue that crosses neighborhood boundaries. For example, residents are concerned about indoor furniture kept outdoors on the property, dilapidated housing, and trash.

Urbana is currently on the working to adopt the International Building Code, developed by the Building Officials Code Administrators International (BOCA). There are three main improvements to the building code: Graffiti and defacement of property will become the responsibility of the landowner, the City will be able to better enforce over occupancy; and smoke detectors will need to be hard wired rather than battery operated. In addition to the existing code, these improvements will help Urbana’s building inspectors to better regulate property maintenance.

Occupancy and Rental Registration. Occupancy limits are important for controlling intensity of use within Urbana neighborhoods. The Urbana Zoning Ordinance has recently been updated to clarify occupancy limits. The zoning ordinance now limits occupancy to one household (persons related by marriage, domestic partnership, direct lineal descent or parent-child relationship) and no more than three unrelated people per dwelling unit in single-family, duplex, and multi-family apartments. Boarding house occupancy is determined by each home’s Certificate of Occupancy (up to 15 persons). (section V-11 of the Urbana Zoning Ordinance)

The rental registration program proposed to begin this fall will require landlords to register their property with the City annually. The purpose of the program is to help ensure a safer rental housing stock, protect property values, and improve accountability of rental units. An ongoing, systematic program of rental inspections will be carried out, and coupled with updated property maintenance codes, the City will be better equipped to managed Urbana's approximately 10,000 rental units. Single-family, duplex, and multi-family rental units would be required to participate.

Gravel Driveways and Parking Lots. New gravel driveways and parking lots are not allowed under the current zoning ordinance. However, the Zoning Ordinance allows those gravel driveways existing since at least 1990 to remain as legally non-conforming surface. This has been interpreted to include gravel multifamily parking lots. A major problem is that gravel spreads, engulfing more yard space over time. It is also very difficult to mark parking spaces clearly in gravel, and constant driving on gravel in high-intensity uses, such as multi-family, causes dust to spread.

Many yards of rental properties close to the university have been converted into parking lots. A recent staff survey found approximately 35 gravel parking lots in the City, most of which are concentrated in the West Urbana neighborhood. Of 260 parcels surveyed in West Urbana, 118 have gravel driveways and 26 have gravel parking lots.

One solution could be to require parking lots for multi-family uses to be paved. It should be noted that retrofitting apartment parking lots can sometimes create new problems for neighbors such as grading, drainage, and local flooding, in addition to being an expensive solution for property owners. Another option would be to establish environmentally-friendly practices to better contain gravel. Use of washed, crushed stone rather than gravel can also deal with spreading and dust. Yes another solution would be to step up enforcement on illegally created parking lots. And finally, fencing and landscaping can be used to help hide parking lots within and adjacent to residential neighborhoods.

Recommendations

Based on the research presented in this analysis, City staff recommends initiating the neighborhood conservation program as outlined herein. The proposed neighborhood conservation program combines multiple tools targeted to meet the specific needs of Urbana neighborhoods. Rather than creating one blanket approach to solve neighborhood issues, coordinated individual initiatives would be more successful in responding to quality of life and livability concerns.

City staff suggests carrying out the new initiatives in the following order of priority:

1. Create an overlay zone with design review requirements for the Lincoln/Busey Corridor
2. Identify and nominate potential historic districts
3. Explore the potential for rezoning selective blocks in East Urbana

4. Assist in the creation of a private community development corporation that will promote housing rehabilitation.

Altogether these new and existing initiatives offer a comprehensive approach to neighborhood preservation designed to more effectively tackle livability issues for Urbana neighborhoods.

In addition to soliciting input from the Plan Commission and Committee of the Whole, City staff will also review this report with the Historic Preservation Commission.

Prepared by:

Rebecca K. Bicksler, CD Associate

Attachments: Neighborhood Conservation District Study for the City of Urbana, Illinois (May 2006)

cc: West Urbana Neighborhood Association
Historic East Urbana Neighborhood Association

NEIGHBORHOOD CONSERVATION DISTRICT STUDY

for the
CITY OF URBANA, ILLINOIS



Rebecca K. Bicksler
University of Illinois, Urbana-Champaign
July 2006

Neighborhood Conservation District Study

for the

City of Urbana, Illinois

Dept. of Community Development,
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Completed July 2006

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1. Executive Summary

Urbana is experiencing a growing need for planning initiatives that address neighborhood preservation. Urbana's older and established neighborhoods have encountered conversion of owner-occupied, single-family homes to higher density uses such as apartments and rental units. These land uses often introduce problems with parking, property maintenance, and nuisance issues.

Some communities around the country have experienced a demand for incompatible new land uses due to development pressure, and have implemented Neighborhood Conservation Districts (NCDs) as a solution. Both Urbana residents and City Council members have referred to NCDs as a potential solution to neighborhood issues in Urbana. However, following extensive research, it appears that NCDs may not be the most advantageous tool to regulate issues of deteriorated housing, parking, noise, trash, and other nuisances that Urbana residents consider problems for their neighborhoods.

NCDs are structured either as stand-alone zoning districts or overlay districts. Stand-alone zoning creates new zoning districts and regulations only apply to parcels with that zoning; whereas, overlay districts regulate properties within a specified geographic area (i.e neighborhood boundaries) in addition to the underlying zoning designation. Although NCD structures differ in each case, they generally include one or more of the following functions:

- ***Historic Preservation.*** NCDs are used to protect homes in a district that does not quite qualify for historic district status, or NCDs may be implemented in communities that desire less stringent regulation of historic properties.
- ***Neighborhood Planning.*** Creating a neighborhood plan is an important part of NCD designation. The planning process allows residents to clearly define the important issues and the characteristics the neighborhood values.
- ***Design Guidelines.*** These guidelines can be thorough prescriptions for architectural detail, landscaping, setbacks, and building height or more broad descriptions of the types of structures that are appropriate for the neighborhood. Generally, guidelines fall into two categories: those that preserve historic character and those that aim to guide overall form and character.

Many of the functions of NCDs can be carried out through traditional zoning. The difference is that traditional zoning applies to districts throughout the city, while NCDs generally apply to areas based on neighborhood boundaries. Because of this distinction, Neighborhood Conservation Districts can protect the specific character of each neighborhood by regulating the physical elements that residents value. These elements may represent social or economic qualities as well.

Unfortunately, NCDs are limited to the traditional functions of zoning. NCDs cannot effectively deal with issues of transformation of owner-occupied homes to rental units, poor property maintenance, nuisances, or issues dealing with public property (sidewalks, streets, lampposts, trees, etc), which include many of the current neighborhood issues in Urbana. These issues must be dealt with by other initiatives, and in some cases, through other divisions of the City rather than the Planning Division. In addition, NCDs are designed to regulate entire neighborhoods. In Urbana's case, many neighborhoods are already zoned for low density, which is the strongest form of protection against incompatible high-density developments. Implementing an NCD for an entire neighborhood when the problem only exists in a very concentrated area of the neighborhood would require much effort for potentially minor improvement.

Instead of implementing Neighborhood Conservation Districts, which fall short of the specified needs for Urbana, specific initiatives targeted at conversion of owner-occupied homes to rentals, property maintenance, nuisances, and other neighborhood preservation-related issues would create a favorable outcome. There are, however, some functions of Neighborhood Conservation Districts that Urbana should consider:

- ***Neighborhood planning would be beneficial for all Urbana neighborhoods.*** The examples of neighborhood plans used for creating NCDs are effective for neighborhood planning in general. Either city staff or neighborhood associations can use the examples as guides to create a plan for their neighborhood. The planning process may also involve an educational component that would provide residents with a better understanding of current codes, leading to better enforcement.
- ***An overlay district could protect threatened areas of Urbana neighborhoods.*** An overlay district with design review would protect the areas of Urbana's neighborhoods that are most threatened by incompatible development. The examples of NCDs with design guidelines might be useful for Urbana to consider, although the MOR, Mixed Office Residential District, is an existing area of design review in Urbana that can also serve as a model. The areas of Urbana that could benefit from design review are the Busey Corridor (line of properties between Lincoln Ave and Busey Avenue) and properties along Main and Elm Streets in East Urbana. Both areas of Urbana have concentrated apartment dwellings and zoning which supports those higher density uses. Design review would ensure that new construction is compatible with the single-family residential character of the area.

The lessons learned from NCDs provide the background for future neighborhood preservation efforts in Urbana. The next step is to determine a set of initiatives that will adequately address the current neighborhood issues.

2. Issues Prompting Discussion

This study was initiated in response to residents' concern for neighborhood character. Their concerns are recorded in the 2005 Comprehensive Plan and in separate neighborhood documents. It appears that current policies are unable to address the neighborhood issues at hand. City officials and City Council members have received many requests from residents to pursue a policy that will protect neighborhoods from incompatible development. Both residents and aldermen have referred to Neighborhood Conservation Districts as a potential solution, but there has not been an in-depth study to determine whether or not NCDs would be a proper solution to neighborhood issues in Urbana. The objectives of this report are to 1) analyze neighborhood issues, 2) define Neighborhood Conservation Districts and how they work, and 3) determine whether NCDs are the adequate solution to neighborhood issues in Urbana.

2.1 Urbana 2005 Comprehensive Plan and Council Goals

The process of creating the Comprehensive Plan involved a great deal of community participation in one form or another, including more than 1,200 residents.¹ In Urbana's 2005 Comprehensive Plan process, residents were asked to participate in surveys to determine the strengths, weaknesses, opportunities, and improvements of their own neighborhoods and for the City of Urbana as a whole.² Residents voiced their concerns about neighborhood conservation issues such as dilapidated housing, sidewalks in disrepair, transformation of homes from owner occupied to rental, parking congestion, and nuisance problems such as noise and trash.³ These findings were described in the Comprehensive Plan as the following issues:

- "Because of its proximity to campus, the West Urbana neighborhood experiences many conflicts between single-family and multi-family land uses. Many of these conflicts relate to high demands for parking, issues of property maintenance as well as other general nuisance concerns.
- Many neighborhoods have experienced the loss of single-family homes for various new land uses such as multi-family development, parking lots, and expansion of existing institutions.
- Some neighborhoods have zoning inconsistencies that work counter to the overall goals of the neighborhood.
- What types of implementation tools can be used to help achieve the overall goals of neighborhood associations?
- How can neighborhood conservation districts or historic preservation districts best be used to achieve neighborhood preservation goals?

¹ Urbana, IL. 2005 Comprehensive Plan, pg 3.

² Urbana, IL. 2002 Comprehensive Plan Update: Final report on Resident Surveys, pg 2.

³ Urbana, IL. 2002 Comprehensive Plan Update: Final report on Resident Surveys, pg 10 and Appendix C.

- Changes in neighborhood conditions result in the need for proactive planning to set a clear vision for the future of individual neighborhoods.” (Comprehensive Plan, pg 30)

In response to these issues described in the comprehensive plan, and the local knowledge held by each of Urbana’s aldermen, the City Council has adopted the goal to “Preserve Neighborhoods and Promote Rental Safety.”⁴ Specifically, they propose to “Develop Conservation Districts for historic and sensitive areas of the city. Conservation Districts should include review of demolitions, approval of new construction, and design guidelines applied by a [design review board] or as fixed requirements required by [the] zoning ordinance.”⁵

Under City Council’s direction, the Urbana planning division has initiated this study to determine whether current zoning tools are adequate to address neighborhood issues, and to examine the potential of NCDs as an additional means of neighborhood preservation.

2.2 Neighborhood Concerns: Case Studies

West Urbana and Historic East Urbana are the older and more established neighborhoods in Urbana, and their respective neighborhood associations have specifically called for NCDs to be established in their neighborhoods. Interestingly, the neighborhoods are different in character, but they have some similar goals and concerns they would like to see addressed. Both communities would like to see aspects of preservation and restoration in their neighborhoods. Ultimately though, West Urbana is interested in preservation of the neighborhood character and quality of life while East Urbana’s greatest concern is revitalization.⁶ These two neighborhoods create an excellent case study to evaluate the flexibility and effectiveness of NCD legislation.

⁴ Urbana City Council Goals, #4.

⁵ Urbana City Council Goals, #4.a.

⁶ Urbana, IL. 2005 Comprehensive Plan, pg 81. and Urbana, IL. 2002 Resident Survey : Final Report, np.

Neighborhood Map

Map created by: Rebecca K. Bickler
3 May 2006

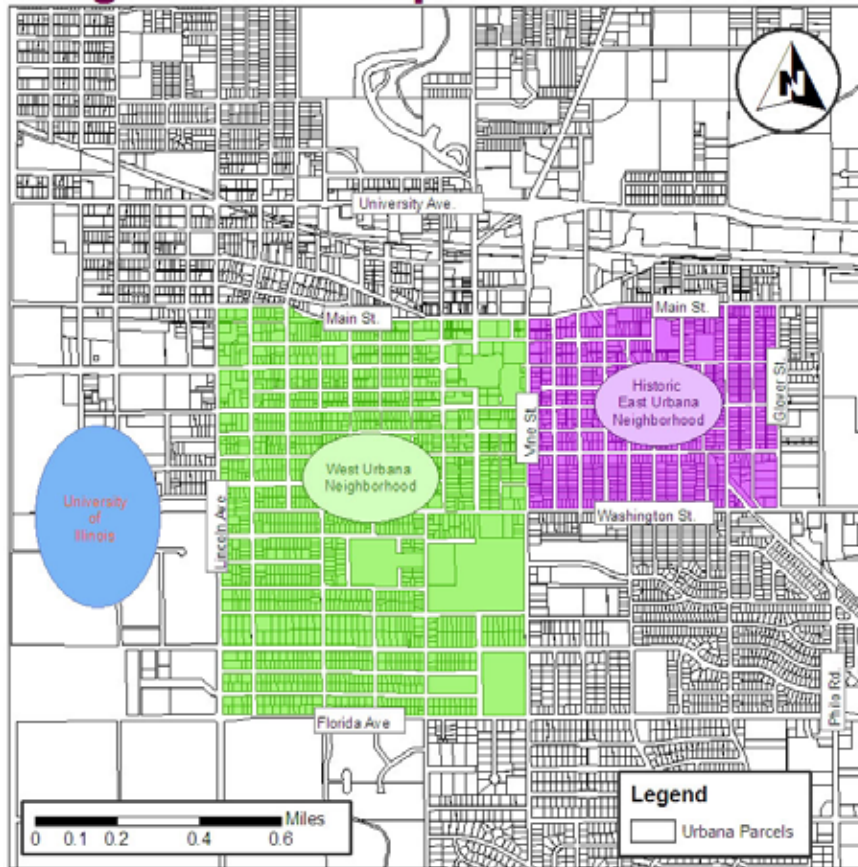


Figure 1 : Neighborhood Boundaries, as described by the active neighborhood associations

Source: HEUNA boundaries - <http://heuna.chambana.net/page2.htm>

WUNA boundaries - <http://www.prairienet.org/wuna/literature/GeneralBrochure8.03.pdf>

2.2.1 Historic East Urbana Neighborhood

The Historic East Urbana Neighborhood has an active neighborhood association (HEUNA) that has taken initiative to preserve and restore their neighborhood. The association's mission statement is:

“...to preserve the historic nature of East Urbana as a family oriented neighborhood. To maintain, conserve, and improve East Urbana for families by promoting retention of current owner-occupied homes and to encourage the upkeep of rental properties. To preserve a low density house environment (R3 Single and Two Family Residential Zoning); and to promote rehabilitation of older homes.”⁷

⁷ <http://www.heuna.org/>

In January of 2005, HEUNA completed a neighborhood plan that describes their neighborhood issues in detail. First on the list of goals and objectives is “Investment in Housing Stock,” and second is “Preservation.” The objectives to meet these goals include developing programs to renovate dilapidated housing and enforcement of home maintenance. In addition, the neighborhood would like to see recognition of “property owners who contribute to the preservation and quality of the neighborhood through thoughtful design considerations when remodeling, upgrading, or commencing new construction.”⁸ In an interview, Dennis Roberts (alderman for the East Urbana Neighborhood) and two other active HEUNA leaders confirmed these objectives. They agreed that the most critical issue for their neighborhood is retaining the owner-occupied single-family housing.⁹

Some of the key issues addressed in the interview were: loss of owner-occupied single-family housing to converted rentals or new apartment construction; poor property maintenance; poorly maintained brick sidewalks; and the lack of curb and gutters along many blocks, which causes parking and drainage issues. HEUNA’s main goals in initiating NCDs would be to protect the neighborhood from owner-occupied homes being converted to rental property and to ensure that the designs for new construction – mainly apartments – would take into account the surrounding buildings.

Some of the key characteristics of the neighborhood are older (1900-1920), modest size housing stock,¹⁰ brick sidewalks, small lots, and tree-lined streets (See figures 2-7). Some of the residential character has already been lost to commercial development and incompatible multi-family developments. The historic brick sidewalks are a key characteristic that have also been threatened. Many of the sidewalks have been replaced with concrete and others are in disrepair.

Characteristics of the Historic East Urbana Neighborhood



Figure 2. Examples of sidewalks in disrepair.



Figure 3. Many of the front porches have been enclosed.

⁸ HEUNA, HEUNA Comprehensive Plan, pg 17.

⁹ Dossett, Scott, Dennis Roberts, and Chris Stohr. Personal Interview.

¹⁰ Urbana, IL. 2002 Existing Conditions Report, pg 70.



Figure 4. The northern part of the neighborhood has many newer apartment buildings.



Figure 5. Typical block in East Urbana Neighborhood.



Figure 6. Typical block in East Urbana Neighborhood. Note: tree-lined streets, street lamps, mix of concrete and brick sidewalks.



Figure 7. Not all streets have curb and gutter system.

Similar to HEUNA’s Comprehensive Plan, the Urbana Comprehensive Plan offers the following as strategies for stability of the Historic East Urbana Neighborhood:

1. Preserve unique character of the neighborhood.
2. Determine compatible zoning for the neighborhood.
3. Improve existing infrastructure.
4. Improve existing housing stock.
5. New development [should] respect traditional physical development pattern.¹¹

The comprehensive plan also suggests that Urbana “encourage development closer to downtown core that reflects the neighborhood plan identifying compatible growth opportunities while preserving the low density residential quality of the neighborhood,” and to “promote improvement of existing housing stock and new infill

¹¹ Urbana, IL. 2005 Comprehensive Plan, pg 81.

development.”¹² The city has implemented some programs to help improve the East Urbana Neighborhood, such as the brick sidewalk plan and restoration of Victory Park, but residents are seeking NCDs to address their concern about deteriorating housing and property maintenance.

2.2.2 West Urbana Neighborhood

Although the West Urbana Neighborhood has similar problems with rundown housing and poor property maintenance, residents’ concerns for the neighborhood stem from different issues than those of HEUNA. Most notably, they are concerned about the increasing amount of single family, owner-occupied homes becoming dilapidated rental properties for students. An excerpt from a white paper written by members of the West Urbana neighborhood Association explains:

“Unfortunately, the high profitability of turning single-family homes into rentals threatens a healthy balance of owner-occupied homes. Dilapidated rental properties invite the mindset ‘to raze, build cheap and rent high.’ There is a resulting increase in noise, crime, traffic, limited parking availability, and drug and alcohol abuse at student houses when large social gatherings take place. This negatively impacts and erodes the quality lifestyle for faculty living near campus. These problems also diminish the attractiveness of the Campus Gateway, the President’s residence, and the redevelopment of Orchard Downs.”¹³

In an interview, council members Brandon Bowersox and Charlie Smyth commented on the main issues for the West Urbana Neighborhood. The issues included: maintaining walk-ability of the neighborhood, reducing demolitions for parking lots, requiring buildings to “face” the street, and protecting the original historic density of the neighborhood. Alderman Smyth explained that many homes have been retrofitted to provide more rooms and increase the rental value, but those homes then exceed the neighborhood capacity, especially in terms of traffic and cars added to the neighborhood.¹⁴

The current character of the neighborhood can be described with the following description: “The area is predominantly residential with an older housing stock and a diverse mix of single-family homes, duplexes, rooming houses and apartment buildings. Many of the single-family residential homes date to the 1920’s and some streets contain large lots and deep setbacks”¹⁵(See figures 8-15).

¹² Urbana, IL. 2005 Comprehensive Plan, pg 81.

¹³ WUNA, *Preserving and Revitalizing the West Urbana Neighborhood*, pg 1.

¹⁴ Bowersox, Brandon and Charlie Smyth. Personal Interview.

¹⁵ Urbana, IL 2002 Existing Conditions Report, 71.

Characteristics of the West Urbana Neighborhood



Figure 8. A typical street in West Urbana



Figure 9. Brick sidewalks and streets are common in West Urbana.



Figure 10. As homes are retrofitted to allow more tenants, parking needs increase, and backyards are converted to parking lots. (Photo Courtesy of City of Urbana's Planning Dept.)



Figure 11. Close to the University, large Apartment buildings and parking lots are common.



Figure 12. One of few condo buildings in West Urbana.



Figure 13. Many yards in West Urbana are filled with ornamental landscaping.



Figure 14. Homes face in toward Carle Park.



Figure 15. A typical lot in the south blocks of West Urbana is much larger than in the northern sections of the neighborhood.

The Comprehensive plan offers the following strategies for the neighborhood:

1. Explore Neighborhood Conservation District strategies
2. Promote single-family residential uses in areas zoned for single-family
3. Preserve existing zoning protections
4. New development [should] respect traditional physical development pattern.¹⁶

The neighborhood has achieved some forms of protection already. The 1990 Downtown to Campus Plan focused on West Urbana, and “resulted in a number of rezonings to help achieve improved compatibility among land uses.”¹⁷ Much of West Urbana Neighborhood was rezoned to Single-Family Residential, and this low-density zoning protects the neighborhood from incompatible densities such as large apartment buildings. However, residents remain unsatisfied with the development patterns, and are looking to Neighborhood Conservation Districts as a potential solution to their neighborhood preservation issues.¹⁸

¹⁶ Urbana, IL. 2005 Comprehensive Plan, pg 79.

¹⁷ Urbana, IL. 2002 Existing Conditions Report, pg 71.

¹⁸ WUNA, *Preserving and Revitalizing the West Urbana Neighborhood*, pg 3.

3. Defining Neighborhood Conservation Districts

The purpose of defining Neighborhood Conservation Districts is to determine whether they are an appropriate remedy for Urbana’s neighborhood preservation issues. By examining the general functions and procedures, we can evaluate the capabilities and shortfalls of NCDs in meeting the needs of Urbana’s neighborhoods. The functions and procedures of NCDs differ depending on a locality’s current policies and government structure; however there are certain characteristics that can be seen across the board. NCDs are generally used for neighborhood preservation whether it is for preserving historic structures, maintaining affordable housing, supporting cultural character of the neighborhood, or protecting other characteristics that the neighborhood values.

3.1 General Structure

Neighborhood Conservation Districts are essentially created with combine regulations pertaining to neighborhood preservation issues to existing zoning requirements. Most often, Neighborhood Conservation Districts are structured as overlay districts; however there are some examples of conservation districts that are stand alone zoning districts.

3.1.1 Stand-Alone Zoning

Establishing Neighborhood Conservation Districts through stand-alone zoning involves creating new zoning districts that apply only to parcels with that zoning. The districts combine existing zoning with new regulations for neighborhood preservation. The City of Champaign, IL for example, has created “In-Town” zoning districts in response to residents’ concern for declining properties. The districts are located around the city’s downtown commercial center. Some residents were concerned that single-family homes were being replaced by apartments or being improperly converted into rentals, but many developers and landowners wanted to get the higher value from their property as a result of the high density zoning. The In-Town districts were essentially a compromise by allowing homes in IT-SF1, IT-SF2, and IT-NC to be converted to multi-family dwellings as long as changes to the exterior are avoided; whereas, the general SF1 and SF2 zoning districts do not allow any conversions to multi-family.

Property in the In-Town districts must follow the performance standards, or development standards, of their corresponding zoning district (eg. IT-SF1 follows the same performance standards as SF1, and IT-MF follows the standards for MF). The main differences between the districts are the permitted uses.

There are varying opinions about the success of this approach within the Champaign planning staff. Some planners feel that the districts add unnecessary complexity to the zoning ordinance. Others feel that the districts have stabilized the area in terms of property values and aesthetics. It is difficult to analyze the success of the districts

because concurrent with their implementation there has also been a trend of urban revitalization. The In-Town neighborhoods have been stabilized, which could be due to the success of IT zoning districts, or it could be due to a revitalized downtown commercial district and an overall trend of people moving into downtown areas across the United States.

3.1.2 *Overlay Districts*

Neighborhood Conservation Districts are often implemented as overlay districts, which apply additional regulations to a specific geographic area (i.e. neighborhood boundaries) in addition to the underlying zoning regulations. For example, San Antonio, Texas has created Neighborhood Conservation Districts to add design guidelines to specific neighborhoods. New construction, an alteration, or addition to the street façade of an existing building or structure within the NCD must undergo design review. The Director of Development Services and Director of Planning must review and approve the construction before a permit can be issued. Some criteria that are addressed in the design guidelines, as seen in the Whispering Oaks Neighborhood standards, are building size/massing, lot size, principal elevation feature, front and side yard setbacks, and fencing.

Neighborhood Conservation District Ordinance for San Antonio, Texas

35-330 Generally

The overlay zoning districts address special siting, use and compatibility issues which require use and development regulations in addition to those found in the underlying zoning districts. If any regulation in an overlay-zoning district requires lower densities, greater Setbacks, or otherwise imposes greater standards than those required by the base zoning district, the more restrictive standard applies.

The zoning designation of property located within an overlay district shall consist of the regular zone symbol and the overlay district symbol as a suffix. For example, if a parcel is zoned "RE" and is also located within the Edwards Recharge Zone district, the zoning designation of the property would be RE (ERZD). In effect, the designation of property as being within the Edwards Recharge Zone District places such property in a new zoning district classification and all procedures and requirements for zoning and rezoning must be followed.

Figure 16. Excerpt from San Antonio's Unified Development Code.
Source: <http://www.sanantonio.gov/planning/ordinances.asp>

Overlay districts are beneficial because they allow a consistent set of rules to cross zoning district lines. Also, a neighborhood comprised of varied zoning can be under a common set of regulations. The downfall is that this type of regulation can become complicated for landowners, developers, and regulators, because it involves interpreting multiple regulations at once.

3.1.3 The Difference Between NCDs and Traditional Zoning

Many of the same functions of NCDs can be carried out through traditional zoning. The difference is that traditional zoning applies to districts throughout the city, while NCDs generally apply to areas based on neighborhood boundaries. The focus of traditional zoning is on land uses. The districts are generally created based on intensity of uses. Parks and recreation, institutional, and single-family are considered the lowest intensity uses; whereas, industrial, commercial, and high-density multi-family residential are considered higher intensity uses. Traditional zoning creates regulations for each land use, and it does not take into account design or other uses surrounding the property.

Rather than focusing on land use, which is the primary concern of traditional zoning, NCDs focus on protecting “character.” Neighborhood character could be physical, social, or economic qualities that the residents value. The social and economic qualities might be manifested in physical elements that are more easily regulated. NCDs are used to create regulations for building style or design requirements to protect physical elements that represent such values, regardless of the underlying land use or zoning classification. This allows consistent regulation of physical qualities within neighborhood boundaries.

3.2 Primary Functions

Neighborhood Conservation Districts (NCDs) are a relatively new tool for neighborhood preservation and NCD regulation has varying functions and procedures. For some communities, an NCD is used for historic preservation of an architectural style or styles. In this case, the neighborhood might consist of architecturally rich homes that are not quite fit for historic landmark or district nomination but are still worthy of some form of architectural preservation. To others, NCDs are used to encourage a certain character for the neighborhood – for example, single-family homes with deep setbacks, pitched roofs, detached garages, tree-lined roads, or any other element that the neighborhood values. In this case, the focus is on the overall *characteristics* of the neighborhood rather than historic architectural styles. These characteristics might be physical, social, economic, or physical features that support social and economic aspects. For example, Chapel Hill, North Carolina, has implemented NCDs that limit the size of a home in order to protect affordable housing.

Although the structures of NCDs differ in each case, there are some categories that help define the common uses for such legislation. The structure of NCDs generally includes one or more of the following functions: historic preservation, neighborhood planning, and design guidelines.

3.2.1 Neighborhood Conservation Districts and Historic Preservation

Many cities have enacted Neighborhood Conservation Districts as a way to protect historically rich neighborhoods. These places desire to use the NCD legislation rather than local historic districts for one of two reasons: either the homes in the potential district are not quite fit for nomination according to the local standards for historic districts, or because they desire less stringent regulation for historic properties. Some communities may want to preserve a neighborhood that has many historic properties, but not enough to be a local historic district, or the homes may not be old enough to qualify for a local historic district. Using a Neighborhood Conservation District to preserve the properties now could protect the neighborhood until it is old enough to be nominated as a local historic district.

Neighborhood Conservation Districts can help to preserve historic structures, but the regulations must be clearly written so that residents understand the differences between NCDs and historic districts. A study on Neighborhood Conservation Districts completed by Larson and Fisher Associates explains the differences in the following ways:

- “Most NCDs allow residents and property owners to determine what aspects of a neighborhood should be preserved, rather than strictly following the Secretary of Interior standards for rehabilitation work on properties within the district.
- The focus for protection in an NCD is on neighborhood characteristics, rather than details pertaining to individual buildings.
- Design Review to protect the historic integrity of buildings is frequently not the main thrust of NCDs. Rather, massing, scale or buildings, siting, and orientation tend to be the neighborhood qualities that are managed under an NCD designation.
- Regulatory powers are generally held by the planning staff, rather than the historic preservation commission.”¹⁹

Although NCDs can be used to protect the architectural and historic character of a neighborhood district, conservation district legislation does not have the “teeth” that a local historic district does. In fact, a Neighborhood Conservation District has the potential to dissuade residents from pursuing local historic district status.²⁰ Neighborhoods are more likely to accept NCD status, because it usually involves less red tape than historic districts. In order to avoid this situation, some cities do not allow districts that would qualify for historic status to be considered for an NCD. Iowa City, IA for example, requires that “no more than sixty percent (60%) of the structures are of

¹⁹ Larson and Fisher Associates, pg 4.

²⁰ Larson Fisher Associates, pg 6.

a quality, integrity and condition that qualify for historic district designation.”²¹ Similarly, Wilmington, Delaware requires that “one district cannot qualify for both designations.”²²

Examples of NCDs that Incorporate Historic Preservation

In the enabling ordinance, Wilmington, Delaware defines NCDs for their city in this way; “Neighborhood Conservation Districts have been determined to be necessary where traditional City Historic District protection is not suitable or warranted, either because of a lack of significant community or political support, or because the built environment does not meet the criteria for historic resource recognition as defined by the Secretary of the Interior and the Delaware State Historic Preservation Office.”²³ Atlanta, Georgia also defines NCDs as an area that does not qualify for historic nomination. Their ordinance states; “A conservation District is one that has retained an adequate amount of its historic character for interpretation, although some alterations may have occurred.”²⁴ Another example, Chapel Hill, North Carolina, establishes NCDs in order to preserve neighborhoods that “lack sufficient historical, architectural or cultural significance at the present time to be designated as historic districts.”²⁵ Protecting them as NCDs now, enables the neighborhoods to maintain integrity so that they may be designated as local historic districts in the future.²⁶

3.2.2 *Neighborhood Conservation Districts and Neighborhood Planning*

Neighborhood Planning is a necessary part of NCD designation. Some places designate neighborhoods as a “Neighborhood Conservation District” for the sole purpose of neighborhood planning, although most communities consider planning just one part of the process. Generally, the places that use NCDs to make community plans, with no intent of creating additional regulations, do not already have a process of neighborhood planning. There are only a few examples of this type of NCD because most cities, like the City of Urbana, address neighborhood issues in the comprehensive plan as well as in independent neighborhood plans.²⁷

Incorporating neighborhood plans as a component of NCD designation is an important step in identifying the characteristics of the neighborhood that the residents value. Without defining the opportunities and threats to the neighborhood it is difficult, if not impossible, to create a set of guidelines that will preserve the area. As an initial step in

²¹ Iowa City, Iowa. Iowa City Zoning Code. Section 14-6J-4. Conservation Overlay Zone (OCD).

²² Wilmington, DE. Wilmington Zoning Code. Section 48-421.

²³ Wilmington, DE. Ordinance 04-032. Approved June, 2004.

²⁴ Atlanta, GA. Atlanta Zoning Code. Section 16-20-004(e). Conservation Districts.

²⁵ Chapel Hill, NC. Chapel Hill Code of Ordinances. Section 3.6.5. Neighborhood Conservation District.

²⁶ Other communities that use NCDs for historic preservation include: Cambridge, MA; Bethlehem, PA; Nashville, TN; and Iowa City, IA.

²⁷ Completed neighborhood plans in Urbana include King Park, Woodland Park, and North Broadway neighborhoods (Urbana, IL. 2002 Existing Conditions Report, pg 20-30).

NCD designation, the planning process allows the residents to clearly define the issues and evaluate whether implementing an NCD is the remedy for their concerns or if another solution is necessary. Whether or not the community decides to implement an NCD, the planning process is likely to foster ideas for improvement of the neighborhood.

Examples of Neighborhood Planning Initiatives

Arlington County, Virginia has implemented a program to encourage conservation plans for neighborhoods within the county. They created the “*Guide to the Neighborhood Conservation Program Planning Process*,” which offers detailed descriptions of the format and the process of creating the plans (Appendix B). The process includes: creating a neighborhood organization or committee to complete the plan; developing and distributing a questionnaire to every household in the neighborhood; allocating the work load; developing a plan; and presenting the plan to the planning commission and county board.

Neighborhood residents carry out the initial stages of creating the plan, so the document is meant to guide them through the process by providing a detailed list and description of elements that should be included. The subject areas for the plan are:

1. *Zoning and land uses*
2. *Street conditions*
3. *Transportation/traffic management*
4. *Housing*
5. *Public facilities and services*
6. *Social services*
7. *Commercial/business area*
8. *Historic preservation*
9. *Urban forestry*
10. *Other issues*

The plan is first approved by city staff, then noticed and approved by residents through a vote. After neighborhood residents approve the plan, the neighborhood plan committee presents to the plan commission for a recommendation for approval, and the County Board approves or denies the plan. Arlington County uses neighborhood conservation plans to provide long-term guidance for development, and the plans serve as important documents in making land-use decisions.²⁸

There are many other cities that have a format for neighborhood plans, either as a component of a Neighborhood Conservation District, or as an entirely separate tool for neighborhood preservation. Planning is important for any type of neighborhood

²⁸ Arlington, VA. *Neighborhood Conservation Program*. Online source. Available: <http://arlingtonva.us/Departments/CPHD/ons/CPHDonsConservation.aspx>

improvement program, which of course includes the preparation of design guidelines and regulations for a Neighborhood Conservation District.

Omaha, Nebraska is another city that has implemented legislation to create neighborhood conservation plans. The plans are adopted as a portion of the city's comprehensive plan.²⁹ In Phoenix, Arizona, the "Special Planning Districts" are meant to create incentives for local residents to improve their property within each district. The purpose of the districts are, "to facilitate maintenance and upgrading of the neighborhood, to encourage development of vacant or under-used lots, to ameliorate the adverse effects of incompatible mixtures of uses, and to encourage neighborhood residents and owners to take positive steps for the improvement and orderly development of the neighborhood."³⁰

Examples of NCDs that Incorporate Plans

San Antonio, Texas requires Neighborhood Conservation Plans to be completed before the designation of an NCD. The Planning Department is responsible for developing the plan, but "all property owners within the proposed district [are given] the opportunity to participate in drafting the Neighborhood Conservation Plan."³¹ Also in Boulder County, Colorado Neighborhood Conservation Plans are drafted in cooperation with County staff, and the ordinance states that the plan "shall detail the policies intended to protect the neighborhood character and valued features identified in the proposed Neighborhood Conservation Overlay District."³² Chapel Hill, North Carolina also requires a district plan, although it is not completed until after the district has been initiated.³³

3.2.3 Neighborhood Conservation Districts and Design Guidelines

Almost all ordinances reviewed for this report includes a set of guidelines for new development. These guidelines vary from thorough descriptions of architectural detail, landscaping, setbacks, and building height to more broad descriptions of the types of structures that belong in the neighborhood. The NCD regulations generally do not override the underlying zoning regulations, but they do provide additional guidelines that are specific to one neighborhood, rather than the entire zoning district.³⁴

Some places, like Wilmington, Delaware, use design guidelines as a means for protecting historical character while others, like Chapel Hill, North Carolina, use the

²⁹ Omaha, NE. Omaha Municipal Code. Section 55-605. Adoption of a district.

³⁰ Phoenix, AZ. City of Phoenix Zoning Ordinance. Chapter 4. A. Special Planning (SP) District.

³¹ San Antonio, Texas. San Antonio Unified Development Code. Section 35-335(d) Initiation Procedures.

³² Boulder Co., CO. Boulder County Land Use Code. Section 4-118(F). Neighborhood Conservation Plan Formulation.

³³ Chapel Hill, NC. Chapel Hill Code of Ordinances. Section 3.6.5. Neighborhood Conservation District.

³⁴ Bozeman, Montana is an exception to this rule. Their regulations allow one neighborhood to override zoning that had deemed all residential homes nonconforming in a particular district.

guidelines to preserve building height, massing, lot size/coverage, setbacks, etc. The design guidelines generally fall into two categories: those that preserve historic character and those that aim to guide appropriate infill development and adaptive-reuse.

In Urbana, The Mixed Office Residential (MOR) District is a zoning district that uses design guidelines and design review to encourage adaptive re-use of existing structures and to protect the nearby residential uses from incompatible development.³⁵ The district is just west of downtown Urbana, and was developed because residents were concerned with new commercial businesses moving in and deteriorating the historic character of the neighborhood. Formation of the district included creating specific boundaries, recording the current conditions of the neighborhood, and generating specific design guidelines for new construction. This process is similar to creating design guidelines for NCDs. The regulations require that adaptive re-use and new construction complete a site plan review, which ensures that the development is consistent with adjacent properties. The design guidelines ensure compatibility in terms of “façade zone” (exterior walls visible from the street), building orientation and patterns, massing and scale, openings, outdoor living space, materials, parking areas, landscaping, and commercial site design. (Appendix C)



Figure 17: MOR District
Source: City of Urbana Planning Department



Examples of properties in the MOR District

Examples of NCDs that use Design Guidelines

The City of San Antonio, Texas and Wilmington, Delaware are two other examples of NCDs that rely on design guidelines. San Antonio created a format for the layout of their design standards, which combines words and graphics that are clear and easy to read. The pictures associated with each regulation give a visual representation of conforming and non-conforming structures. The regulations for Wilmington, Delaware

³⁵ Urbana, IL. Urbana Zoning Ordinance, Article IV, Section IV-2.H.

offer a comprehensive list of physical elements with detailed explanations of allowable and prohibited changes. The list is divided into existing buildings/streetscapes and new construction/additions. Depending on the proposed changes within the district, the project must undergo review by the planning staff or Design Review and Preservation Commission (DRPC) Review, and the regulations provide clear description of these processes. (Appendix B)



Figure 18. Example of non-conforming and conforming use illustrations found in the design guidelines for Whispering Oaks neighborhood in San Antonio, Texas.

There are a few other ordinances worth noting. Boise, Idaho for example, uses conservation districts “to protect neighborhoods from changes that would otherwise be allowed by the underlying zoning.”³⁶ In Portland, Oregon, the design overlay zones are meant to promote the “conservation, enhancement, and continued vitality of areas in the City with special scenic, architectural or cultural value,” and they are used in areas where “design and neighborhood character are of special concern.”³⁷ Philadelphia, Pennsylvania also requires that upon initiating the proposal for NCD, the plan commission draft a set of design guidelines that are submitted with the proposed ordinance.³⁸

3.3 NCD Procedures

The ability to create Neighborhood Conservation Districts is first established through enabling legislation in the zoning ordinance. Subsequently, NCDs are implemented according to the process outlined in the ordinance, which varies based on the structure of the local government and the objectives for implementing an NCD.

There are multiple combinations of approaches to district regulation that involve residents and existing boards or committees. Communities that choose to use NCDs primarily for historic architectural features may find it best to regulate them through the historic preservation commission. On the other hand, localities that implement NCDs for physical, social, or economic aspects may use the existing plan commission or create a separate board for regulation. In many cases, communities have found it useful to require that the residents themselves organize to submit the application, create

³⁶ Boise, ID. Boise City Code: Section 11-19-01. Neighborhood Conservation Districts.

³⁷ Portland, OR. Title 33: Portland Zoning Code. Section 33.420.010. Purpose.

³⁸ Philadelphia, PN. Philadelphia Code and Charter. Section 14-903. Creation of an NCD; Amendment.

regulations, and establish a board of neighborhood residents to regulate the NCD. There are four procedures that are considered when creating an ordinance: incentive based versus mandatory review and administrative versus commission review. Larson Fisher Associates explain these processes in their study of Neighborhood Conservation Districts:

**Incentive-Based/Mandatory Review Correlated to
Administrative/Board Review Structure**

| | Incentive Based | Mandatory Review |
|------------------------------|---------------------------------|--|
| Administrative Review | Portland, OR Santa Clara, CA | Atlanta, GA Boise, ID Chapel Hill, NC Dayton, OH San Antonio, TX |
| Commission Review | Amesbury, MA Lexington, MA | Cambridge, MA Bethlehem, PA Nashville, TN Philadelphia, PA Roanoke, VA Washington, TN Jefferson Parish, LA |

Figure 19. Table of Ordinances
Source: Larson&Fisher Associates, Study for Brookline, MA.

3.3.1 Incentive Based vs. Mandatory Review

Neighborhood Conservation districts may be regulated through incentives or mandatory review.³⁹ Incentive based reviews rely on local initiative to comply, which might include tax breaks, grants, relief from other zoning requirements, or through another resource the city has available. Portland, Oregon provides zoning code incentives, building code incentives, and financial incentives for preservation of historic resources.⁴⁰ In places where the City initiates NCD designation and regulation, an incentive based ordinance might work best. The incentives would promote change with less public opposition than if the City mandated compliance with the regulations.

Mandatory review requires residents to go through a review before making alterations to their property. If the NCD is implemented in response to residents’ initiative, a mandatory review is most often desirable. In this case residents usually prefer that administration or governing boards also demand mandatory compliance, rather than only serving an advisory role. The changes required for review vary between

³⁹ This distinction was made by Larson and Fisher Associates.

⁴⁰ Portland, Oregon. Online source. Available: www.portlandonline.com/auditor/index.cfm?c=28197.

ordinances. Many communities use NCDs to require site plan review for almost any exterior changes, while others look at NCDs as a way to protect general character rather than specific details.

3.3.2 Administrative vs. Commission Review

Administrative review requires city staff to oversee applications for NCD initiation and to approve or reject requests without consultation from a board or commission. If guidelines are detailed and offer set standards to which applications would clearly satisfy or not satisfy the requirements, administrative review might be a better option than commission review. In terms of city resources, administrative review is more efficient. Rather than preparing documents for public hearings and presenting the information to the board, city staff can decide whether the application meets the set of guidelines and standards set forth in the NCD documents.

If design guidelines are vague or the NCD relies on a plan rather than specific guidelines to determine whether certain changes are allowed, a commission review may be necessary. The majority of the ordinances surveyed for this report require commission review for approval or denial of NCD applications. The commission that reviews the applications varies, depending on the purpose of the NCD legislation: ordinances that focus on historic preservation would be regulated through the historic preservation commission while those that stress design guidelines might use the plan commission or a design review board. In some cases, a new board was created to regulate the Neighborhood Conservation Districts.

3.3.3 Neighborhood Involvement

Whether administrative review, commission review, incentive based, or mandatory review is applied, neighborhood involvement is an important component to the success of Neighborhood Conservation Districts. In Santa Clara, California, city staff attempted to initiate neighborhood conservation districts that required mandatory review and compliance, but they were met with great public opposition. The residents did not understand or desire such regulations, and in response, the designation of the NCD fell through. The planners from Santa Clara recommend public participation be a part of the process in order to implement NCDs successfully.⁴¹

Including residents in the planning process and in developing design guidelines offers a sense of ownership and encourages public participation in meeting the goals set out in the plan. Residents can be involved through focus groups, by attending open house meetings to discuss the potential regulations, as members of the task committee developing the regulations, and as members of the board that regulate the districts.

⁴¹ Ashton, Alex, *Analysis of Conservation District Plans*, pg. 6.

4. Evaluation of Neighborhood Conservation Districts

4.1 Inadequacy of Traditional Zoning

Traditional zoning does not protect the general character of a neighborhood to the same degree as Neighborhood Conservation Districts. Traditional zoning in Urbana can protect character in terms of set backs, building height, screening between land uses, and occupancy limits (i.e. density limits). The planning, engineering, and building safety divisions use site plan review for some new development to ensure that the design complies with existing regulations. If the development does not comply with the regulations exactly, the developer may be able to receive a conditional use or special use permit for construction. These processes protect Urbana neighborhoods based on the regulations provided for the land use; however, the zoning ordinance does not take into account the interaction between properties and other physical qualities that create the overall design and character of the neighborhood. NCDs, on the other hand, regulate based on neighborhood boundaries rather than city-wide districts, which allows for detailed regulation specific to the neighborhood's characteristics.

4.2 Benefits of Neighborhood Conservation Districts

Because NCDs are neighborhood specific, rather than city-wide guidelines, they are flexible for meeting neighborhood needs. If the neighborhood issues deal with preservation, they can address historic features of the neighborhood; if the issue is affordable housing, the regulations can be constructed to encourage smaller, more affordable homes, and so on. NCDs can be used to address a variety of issues tailored to fit the neighborhood's situation.

Neighborhood Conservation Districts are especially useful for issues of historic preservation or incompatible infill development. In terms of preservation, Neighborhood Conservation Districts can protect a neighborhood with architectural or historical significance that does not qualify for a local historic district. NCDs are virtually the only form of protection for such not-quite-historic areas.

To protect against infill development, older cities along the East Coast have used NCDs to combat mansionization (tear downs to build disproportionately large homes). Other infill issues, such as historic buildings being replaced with modern structures, can be controlled with NCDs. Design guidelines and a review process for new construction ensures that new development is consistent with the existing structures in the neighborhood – in terms of design and layout, property value, or any other characteristic that the neighborhood considers important.

4.3 The Shortfalls of Neighborhood Conservation Districts

Unfortunately, NCDS are limited to the functions of zoning. A weakness of traditional zoning, in terms of neighborhood preservation, is that it cannot protect aspects of the neighborhood that are publicly-owned, such as sidewalks, streets, streetlamps, and trees in the right of way, and because NCDs are a zoning tool, they will not address these issues either. Public property often contributes to neighborhood character, but is not regulated through zoning. In Urbana, the Public Works Department decides when and where improvements are made to public property through the Capital Improvement Plan. Implementing a Neighborhood Conservation District will not effectively regulate of publicly-owned property either.

The flexibility of NCDs as a zoning tool is a benefit in terms of meeting specific neighborhood needs, but it may also create some unintended consequences. If the option for NCD is available to every neighborhood, Urbana could end up with a regulatory nightmare. Many neighborhoods might embrace the opportunity to protect their neighborhood from any future “incompatible” developments, whether the threat is current and real or not. Also, many of Urbana’s neighborhood issues are in targeted locations or they span multiple neighborhood boundaries. Limiting regulation to neighborhood boundaries may be too broad for some issues and not broad enough for others.

In terms of historic preservation, NCDs are not the best tool for protecting historic neighborhoods. Local historic districts provide the greatest protection for neighborhood character by requiring that alterations and new construction is consistent with the historic character. Local historic districts are often well-documented with current and historic photos and descriptions of each structure. In Urbana, there are many neighborhoods that would potentially qualify as local historic districts. Rather than introducing a new tool for historic preservation that is not able to protect historic properties to the highest degree, Urbana should use existing legislation found in the historic preservation ordinance to designate historic districts.

Overall, NCDs would not add much to the toolbox for regulating neighborhood preservation issues. NCDs can protect the neighborhood from incompatible new development through design review; however, issues of deteriorating housing stock, parking congestion, transformation of owner-occupied homes to rental, poorly maintained sidewalks, and nuisances such as noise and trash would be best resolved with other initiatives. These specific issues would be best regulated through separate, targeted methods. Many of the desirable functions of NCDs, such as neighborhood planning, historic preservation, and design guidelines, can be carried out as separate initiatives as well.

5. Recommendations for Urbana

Although Neighborhood Conservation Districts are a valuable tool for neighborhood preservation in some cities, they cannot adequately address the problems Urbana neighborhoods are currently experiencing. Separate initiatives that deal with specific problems, such as deteriorating housing, parking congestion, transformation of owner-occupied homes to rental, sidewalks in disrepair, and nuisances as seen in East and West Urbana neighborhoods would be more effective than one overarching solution.

5.1 Applicable components of Neighborhood Conservation Districts

In planning the next steps for Urbana, there are some lessons we can take from Neighborhood Conservation Districts: namely, neighborhood planning and design review.

It would be beneficial for neighborhoods in Urbana to complete a neighborhood plan. The process of creating neighborhood plans may resemble the process seen in Arlington, VA.⁴² Urbana could adopt a similar guide, with a detailed list and description of elements to include in the plan, to help neighborhood associations understand and create plans. Neighborhood planning, along with education outreach to residents and developers, could create a positive effect on Urbana's neighborhoods. Including residents in the planning process will encourage a sense of ownership and pride in the neighborhood. Education will provide residents with a better understanding of existing codes, which is likely to lead to better enforcement as well.

For areas of Urbana's neighborhoods that are most threatened by incompatible development, an overlay district with design guidelines and mandatory review would protect the overall character of the neighborhood. The areas of greatest concern are those where the zoning allows multi-family uses within single-family neighborhoods, because these areas are most likely to incur an apartment building or parking lot that is not consistent with the neighborhood character. NCDs such as Champaign's example, allow for multi-family development and conversion of single-family homes to multi-unit buildings, but use additional guidelines or design review to ensure that the new developments are compatible with existing development.

Most of the lots in West Urbana have been down-zoned to R-1 and R-2, Single-Family zoning, and East Urbana is primarily R-3, single and two family zoning. Low-density zoning is the greatest form of protection against incompatible multi-family development, so it might be sensible to downzone problematic areas rather than develop a new set of regulations for the entire neighborhood. The other option is to

⁴² See Appendix B and Section 3.2.2

create an overlay district with design review for the particular areas that have higher density zoning.

As indicated by council members Brandon Bowersox and Charlie Smyth, there is concern for new development that is inconsistent with neighborhood character in the West Urbana Neighborhood. Specifically, the line of properties between Busey Avenue and Lincoln Ave. would be an appropriate location for an overlay district with design review. The Historic East Urbana Neighborhood leaders also mentioned issues of incompatible new construction and alterations along Main Street. Regulating these specific problematic areas would preserve the character of the entire neighborhood and would avoid unnecessary design review for properties in other areas of the neighborhood that are not likely to see incompatible alterations or infill development.

Urbana already has a great example of design guidelines for the MOR district, and this report provides other examples from San Antonio, Texas, and Wilmington, Delaware, for comparison. San Antonio, Texas uses text and graphics to explain the regulations, and Wilmington, Delaware offers a detailed list of allowable and prohibited changes. The regulations are clear and easy for residents to understand.⁴³

5.2. Future works

Rather than creating one overarching approach to neighborhood conservation, which falls short of the specified needs for Urbana, separate initiatives targeted at conversion of owner-occupied homes to rentals, property maintenance, nuisances, and other neighborhood preservation-related issues would create a more favorable outcome. This report provides the background for determining a set of initiatives that will address current neighborhood issues.

As an example, Blacksburg, Virginia has combined multiple planning and regulatory tools to create the Neighborhood Enhancement Program. The program is a three-tiered initiative that addresses neighborhood planning, code enforcement, and rental registration (See Figure 20).⁴⁴ Urbana should consider approaching neighborhood conservation in a similar manner to address multiple neighborhood issues. Design review for the Busey corridor and the northwest section of East Urbana could be one part of the overall solution and others might include a program that helps residents convert rental properties back to owner-occupied homes; designating local historic districts to protect historic areas; creating a streetscape preservation program, and other specific neighborhood preservation initiatives.

⁴³ See Appendix B ordinances and documents.

⁴⁴ See Appendix D.



Initiative Objectives:

- *Neighborhood Planning:*

Improving social interaction within neighborhoods, engaging residents in a meaningful dialogue with each other, and encouraging their involvement in local government. The majority of neighborhoods, prior to the NEP, were either inactive or crisis driven organizations, but this initiative provided the foundation to begin organizing, creating stronger community bonds, and establishing permanent dialogue with Town officials.

- *Code Enforcement:*

Designed to streamline the previous complaint process and initiate proactive identification of violations to reduce citizen reported concerns on the exterior maintenance of both owner occupied and rental property Town-wide. This component of the program provides enforcement to eliminate violations of existing Town codes already in the book, which degrade the appearance and quality of life within neighborhoods, and promotes the public health, safety, or welfare of the occupants. Code Enforcement also addresses recurring violations in a proactive and timely manner.

- *Rental Permitting:*

Aims to reverse past trends associated with rental property conversions. These past trends include substandard and unsafe housing; exceeding occupancy limits set forth in the Town Zoning Ordinance and lack of tenant/landlord responsibility to the neighborhood upon conversion of a property to rental use.

Figure 20. Blacksburg, VA Neighborhood Enhancement Program

Source: www.blacksburg.gov/services/planning/neighborhood_enhancement.php

Urbana is in the beginning stages of implementing some new initiatives that might also resolve some of the neighborhood issues mentioned in this report. The new rental registration program will require landlords to register their property, leading to more frequent inspections and better regulation of the occupancy limits. The Building Safety Division is also working on adopting a new code that will allow for better regulation of over-occupied dwelling units, and the new code will also take a harder stance against graffiti and defacement of property by putting responsibility on the landowner. These endeavors are just as important for neighborhood preservation as neighborhood planning and design review.

6. Conclusions

This study was initiated in response to the consensus that current policies do not adequately address the neighborhood issues at hand and that Neighborhood Conservation Districts could enhance neighborhood preservation efforts in Urbana. This report has aimed to 1) analyze neighborhood issues, 2) define Neighborhood Conservation Districts and how they work, and 3) determine whether NCDs are the adequate solution to neighborhood issues in Urbana.

The brief study of West Urbana and East Urbana revealed that the prominent issues are property maintenance and concern that single-family, owner-occupied homes are being converted to rental homes or multi-family dwelling units. Other issues included: parking congestion; streetscape preservation; and nuisance issues such as noise and trash.

Review of other cities' ordinances and additional research showed that NCDs are generally overlay districts that add regulation to existing zoning for the purpose of neighborhood preservation. Historic preservation, neighborhood planning, and design guidelines are three of the main functions of NCDs, and they can be carried out administratively, through a commission, with mandatory review, or with incentive-based compliance. As a zoning tool, NCDs are effective at regulating incompatible infill development and not-quite-historic districts. NCDs are also beneficial for carrying out neighborhood planning and design review, although enacting an NCD is not necessary for a city to perform these functions.

Because NCDs are limited to the traditional functions of zoning, they are inadequate to solve problems of transformation of owner-occupied homes to rental units, poor property maintenance, nuisances, or issues dealing with public property (sidewalks, streets, lampposts, trees, etc), which include many of the current neighborhood issues in Urbana. Instead of implementing Neighborhood Conservation Districts, which fall short of the specified needs for Urbana, specific initiatives targeted at preservation-related issues are necessary. Urbana should also consider implementing some functions of NCDs, namely neighborhood planning and design review, along with the initiatives.

Determining the best approach to address the neighborhood preservation issues at hand is the subject of the next study, but this report contains adequate research and information that will serve as the background for future endeavors concerning neighborhood conservation in Urbana.

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Appendix B
Sample Ordinances
-Arlington, VA-

Neighborhood Conservation Capital Projects Funding Process



Project Identification: Citizen initiates project via contact with civic association or NC Representative (who then refers to County staff) or direct call to staff. NC staff contacts relevant County departments regarding possible projects. Staff also confirms that the project is supported by an accepted Neighborhood Conservation plan.



Project Development: Citizen (block captain) works with County staff in answering questions for neighbors, circulating petitions (if required) and presenting project for review at civic association meetings. Scoping statement for the project is prepared.



Project Submission: To qualify for a funding round, projects must complete petitioning or have civic association approval for the scoped project. After meeting the qualifying deadline, neighborhoods must prioritize their projects.



Project Review and Ranking: Staff works to prepare plans and cost estimates for all first priority projects. The NCAC Points Committee evaluates projects.



NCAC Deliberation and Recommendation: NC staff provides background information, neighborhoods explain their projects, and the NCAC reviews and makes recommendations regarding the funding package.



County Board Approval: NC staff relays funding package recommendations to the County Board for consideration.

Citizen-Initiated Community Planning

A Guide to the Neighborhood Conservation Program Planning Process Arlington County, Virginia

September 18, 2001

INTRODUCTION

This document presents, step-by-step, the entire Neighborhood Conservation (NC) planning process. It is intended to make the process of neighborhood planning easier for participants. To this end, the chapters are arranged to reflect the sequence of steps in the NC Planning process. It is important to emphasize that these are guidelines only, based on 35 years of collective volunteer experience with the Neighborhood Conservation Program. Adapt these guidelines as needed to fit your neighborhood's particular circumstances.

The “small change” of urban life is the day-to-day respect with which we deal with others and the concern that we exercise for their privacy, welfare, and safety. This unites neighborhoods.

--Jane Jacobs

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Chapter 1: Developing A Neighborhood Conservation Plan

Welcome to the Neighborhood Conservation (NC) planning process. Now that your neighborhood has decided to join the NC program, your first step is to submit a “Letter of Commitment” to the Chairperson of the Neighborhood Conservation Advisory Committee (NCAC) to indicate your intention of preparing a NC Plan. Once the letter is submitted, your neighborhood becomes a voting member of the NCAC. The name, address, phone number(s) and e-mail addresses of your NCAC representative and alternative representative should accompany the Letter of Commitment. It is important that your neighborhood is represented at the monthly NCAC meetings (2nd Thursday of each month, 7:30 – 10:00 PM), as the activities of this program are guided by the deliberations of this volunteer-based organization.

STRATEGIES FOR PLAN DEVELOPMENT

When a neighborhood organization or group of individuals decides to prepare a Neighborhood Conservation (NC) Plan, the following strategies may be useful:

1. Utilize Existing Neighborhood Group or Civic Organization
 - Provides ready access to the community’s most civic-minded people and others with similar interests.
 - Provides a broad base of support in neighborhood.
 - Provides established chain of communication such as news-letters and mailings.

NOTE: Make sure all residents and property owners (including nonresident owners) are notified of all actions involving the NC Plan, regardless of membership in a neighborhood group or civic association.

2. Distribute Questionnaire to Every Household

- Publicizes your effort and builds support.
- Provides information about neighborhood problems and documents them.
- Can be used to solicit volunteers.
- Creates interest in the community at large.
- Provides another communication link between neighborhood residents.
- Useful for formulating neighborhood goals.
- Identifies subject areas for the NC Plan.

3. Allocate Work Load for NC Plan Formulation by Area of Interest

- People who are most interested in a particular issue will be the ones most likely to put forth the required effort.

4. Utilize the Neighborhood Conservation Advisory Committee (NCAC) and County Staff for Information and as a Review Body for Various Elements of the NC Plan

- Many extreme or unrealistic proposals can be eliminated.
- Informs a County-wide body and County agencies of your neighborhood concerns.
- Informs and stimulates other neighborhoods to continue their participation.

HOW TO GET STARTED

Once you have submitted your “Letter of Commitment”, you will want to get started on the research and writing of your NC Plan. It is a new experience for everyone, and may seem like an impossible task. There are, however, certain steps that have proven successful in the past, and may prove useful to your group:

- Establish a working committee to create the NC Plan; utilize an existing civic group or neighborhood organization.
- Meet with NC Staff and complete a timeline for plan development.
- Develop, distribute, and evaluate a written questionnaire to all property owners and residents in your area.
- Complete an inventory of existing physical conditions.
- Prepare a demographic profile of your neighborhood.
- Synthesize the data gathered in steps two through four; identify problems and solutions and formulate goals.

Every neighborhood is unique, and every neighborhood should adjust these suggestions to fit its particular situation. NC Staff is available to assist you throughout the development of your Plan. Findings and results produced at each step always should be presented to, and shared with others in the neighborhood. This keeps interest going and may have the result of enticing new volunteers.

1. NC Committee

To do the job, some sort of effective organization must be set up. Most neighborhoods that join the NC Program already have civic associations. The civic association can become the parent group for the establishment of a NC committee. If no civic association exists, some sort of ad hoc community organization should be set up to assure that the citizens are involved in the planning process. It is extremely important that all residents and property owners (including nonresident owners) within the boundaries of the NC Area are informed of and given an opportunity to participate in all aspects of the plan development and adoption, regardless of membership in a civic association.

When a NC Committee is established, most groups elect someone to be chairman, or Plan editor. The editor should not have to do all the work, however. He/she should be able to delegate authority to members of the committee, who will report to him or her. Some groups also use a Block Captain system to distribute materials and to act as liaisons between the committee and individual residents.

The NC committee should consist of a broad range of citizens who are interested in working for the completion of the NC Plan. Subcommittees should be set up to handle specific tasks, and a chairman should be appointed for each subcommittee. Each NC committee will want to develop its own focus for subcommittees. Typically, subcommittees are arranged around various topics or tasks (e.g., neighborhood survey, infrastructure inventory). While the range of topics can be quite broad, at a minimum they should include land use and zoning, traffic and transportation, neighborhood conditions, housing, parks and recreation, streetlights, beautification, and curb, gutter and sidewalk.

2. The Timeline

Attached to these these guidelines is a timeline that outlines the steps involved in preparing a NC Plan and in getting it accepted by the County Board. There is a similar timeline for updating existing NC Plans. A timeline is a helpful tool for coordinating the various tasks and for keeping a neighborhood on track. NC Staff can provide guidance in establishing realistic target dates for completing each of the steps listed on the timeline. At various times during the planning process, it may be necessary to revise the target dates previously established.

3. The Questionnaire

The primary reason for distributing a neighborhood wide questionnaire is to identify problems, issues and concerns that exist in the neighborhood. It also is an opportunity to gather information for the neighborhood profile section of the NC Plan, and to identify what is good or special about a neighborhood and what is truly important to its residents. An analysis of this information then becomes the basis for formulating neighborhood goals and the overall focus of the Plan, the questionnaire also can be a vehicle for publicizing the efforts of the NC committee and soliciting volunteers to join this effort.

NC Staff has a file of questionnaires that should be used as a guide in developing your neighborhood-specific document. It is strongly recommended that the final version of the questionnaire be submitted to NC Staff for review

prior to sending it out to the neighborhood. NC staff will provide duplication services.

The questionnaire must be distributed to every household in the neighborhood, and to all non-resident property owners. Typically, questionnaires are mailed with an issue of a civic association newsletter or delivered separately by mail or hand. If the latter method is used, Block Captains can distribute the questionnaire and act as a resource people to residents with questions. This personal contact tends to produce more interest and a higher response rate than mailing the survey.

Identify a return date for the questionnaire about 2-3 weeks after distribution. If you allow too much time, people will put it aside and forget about it. Also, a reminder notice may be needed if the response rate is low. Having centrally-located return boxes (e.g., at the library or at a local business) and posting the survey on a neighborhood web-site is also a good way to boost the return rate.

4. Inventory of Existing Conditions

Before you can plan for the future, you have to know what you have today. An effective method to inventory the existing conditions in your neighborhood is a walking tour. One of the best ways to accomplish this is to delegate responsibility for each portion of the inventory to a subcommittee. Each subcommittee should record the existing conditions on working maps, supplied by NC Staff. If you have Block Captains, an alternative approach would be for them to survey all conditions on their block (s). This provides another opportunity to involve residents in the Plan development, whereby each Block Captain can enroll residents to assist in the inventory. It is best to do the inventory after the results of the questionnaire are collated so you can follow-up on problems identified in the questionnaire.

The following are some of the major items you should consider including in the inventory:

- Existing land uses
- Condition of existing curb, gutter, and sidewalk
- Missing concrete curb, gutter, and sidewalk
- Existing street lighting and if additional needed
- Condition of existing parks
- Condition of housing and general neighborhood
- Traffic and pedestrian safety issues

5. Demographic Profile

To effectively plan for your neighborhood, you need to understand its composition. The most important demographics that NC Plans often include are: total population, age distribution of population, number of persons per household, number and type of housing units, housing tenure, median household or median family income, and race. NC Staff can supply some of this data, depending upon the availability of US Census information, and other information can be obtained through your neighborhood survey.

6. Data Synthesis/Goal Development

At this stage of the NC Planning process you should have tabulated the responses to the questionnaire, completed the inventory of existing conditions (including maps of this information), and prepared a demographic profile of your neighborhood. The first step is to review and analyze all this information and identify issues/problems. The next step is to generate solutions, and sometimes-alternative solutions, to these problems or issues in the form of recommendations. Devising solutions should generate a list of potential projects.

As you review the information you will get a sense of resident desires and hopes for the neighborhood; i.e., what is valued about the neighborhood. Use this information to formulate long-term goals for your neighborhood. A goal is a general statement of a future condition that is considered desirable for the community; an end toward which actions is aimed. Goals should be broad and general. The recommendations in your Plan should be more specific and indicate the way in which a goal is to be achieved. Both are statements of what the neighborhood wants for itself, but they vary in scope and specificity.

Neighborhood goals clarify what is, and is not, acceptable to a neighborhood. In this way, the goals serve as a useful guide to the County Board when making

decisions that will affect a specific neighborhood. Also, even after all of the proposed projects in a NC Plan have been completed, the goals ensure that a Plan continues to be a useful guide in planning for the future.

7. Plan Implementation Strategies

As specific recommendations are made to address identified issues, address how these recommendations can be implemented. What resources (people, money) are needed from the County, the neighborhood, businesses and the general public to have the specific recommendations been realized? Do current County policies, procedures or ordinances support the recommendations? If not, will the neighborhood pursue changes to these procedures, policies or ordinances?

SUBJECT AREAS TO COVER IN THE NC PLAN

The NC Plan addresses a variety of subjects, some that involve concrete physical conditions that can be addressed through funding, (i.e. curbs, gutters, and sidewalks, park improvements, tree plantings, etc). Other issues, such as housing, development, land use, and safety may not require an allocation of funds to resolve. However, the NC Plan can act as a vehicle for identifying these issues, and developing strategies for County agencies and citizens to act upon.

The following section identifies the most common subjects covered in NC Plans, and outlines how the neighborhood goes about researching issues and developing solutions. **It is extremely important that you work with the NC Staff and other County staff in various departments when you are researching these topics and discussing possible solutions and projects, and to discuss the feasibility of proposed projects.**

1. Zoning and Land Use

Existing Zoning

NC Staff can provide you with a map of your neighborhood identifying the zoning for each parcel. The zoning for a property specifies what can be built on that property in terms of density, height and type of use. This is different from the County's General Land Use Plan (GLUP), which specifies the type of use and density the County desires to be developed.

Existing Use of Land

You should know how each and every parcel of land in your area is being used. The major categories are residential; commercial; industrial; public/government/community; office/apartment/hotel; mixed use and vacant. Develop a color code consistent with the GLUP (see below), and mark each parcel accordingly on the zoning map provided by the County. Special note should be made of nonconforming uses. These are uses, which are permitted even though they do not conform to the regulations of the zoning district in which they are located. This occurs when such uses predated the existence of the zoning, and is permitted under a "grandfather clause". For example, a gas station may exist on land zoned for residential use (where gas stations are not permitted) because the gas station was built before that land was zoned for residential use.

General Land Use Plan (GLUP)

The GLUP is one component of the County's Comprehensive Plan. It is the land use that is planned for every parcel. This information is displayed on a map available from the County. The GLUP contains other useful information such as: the appropriate corresponding zoning categories for each land use category, a brief overview of planning for the Rosslyn-Ballston and Jefferson-Davis Metro Corridors, County development and growth goals, a brief description of special planning programs in the County, a discussion of special planning areas in the County, and other general information about the GLUP and comprehensive planning in the County.

Development Potential

The main issue to address in this section is how you want development in your neighborhood to occur in the future. Once you have compiled information on the zoning, existing and planned land uses in your neighborhood; the next step is to analyze this information. Begin by comparing the information on all three maps and identify where there are differences or inconsistencies between the zoning, existing land use or GLUP for each parcel.

Questions to address include:

- Does the neighborhood support the zoning, existing land use or GLUP for each parcel?
- Does the neighborhood want to initiate changing the GLUP or zoning to rectify any inconsistencies or, if the zoning and GLUP are consistent, does the neighborhood agree with these designations?
- Any recommend changes?

Also, identify any large lots that eventually could be subdivided, i.e. lots that are zoned for higher commercial or residential density than exists.

In some instances you may not be able to prevent development, but you can have influence on how that development may occur. Issues such as type of use, building height and density, transitions between commercial and residential areas, should be examined.

2. Street Conditions

Curb, Gutter and Sidewalk

Using the information on the questionnaire and from the inventory, determine what is existing and what is missing. Be sure to distinguish between asphalt and concrete, since asphalt generally is a temporary measure and eventually should be replaced by concrete. The main exception to this is if asphalt has been used instead of concrete to minimize the impact on the root system of trees. Also, identify whether to repair or replace these facilities, and where curb cuts are needed for handicapped access.

To qualify as a NC project, an improvement must be supported - through petition - by the property owners adjacent to at least 60% of the linear footage (on both sides of the street) within the blocks impacted, including existing concrete curb and gutter (which is counted affirmatively):

- Does the neighborhood want to support construction of new (concrete) curb gutter or sidewalk where there is none?
- Most NC Plans contain a statement such as: "The neighborhood supports construction of curb and gutter, and/or sidewalk as qualified by the property owners through the petition process."

Storm Drainage

Again, information from your questionnaire and physical survey should identify any areas that any retain water during and after rain or snow areas. Sometimes this is related to lack of standard curb and gutter. If this is not the case, a portion of the street may need to be reconstructed to provide for adequate drainage.

Street Lighting

It is best to do the inventory of lighting at night to identify where additional is needed, and if any lights need repair. As with curb, gutter and sidewalk improvements, a petition is needed to qualify projects as eligible for NC funding; at least 51% of the impacted residents must agree to the project. Generic language giving neighborhood support for street lighting projects as qualified by petition is usually included in NC Plans.

3. Transportation/Traffic Management

Streets

The most common issues identified by neighborhoods are:

- hazardous or congested streets or intersections
- signalization at intersections
- parking (both on-street and off-street)
- street widths
- non-local, cut-through traffic
- handicapped access / sidewalk obstructions
- speeding problems

PARAGRAPH WILL BE INSERTED HERE ABOUT NEIGHBORHOD TRAFFIC CALMING AND THE MASTER TRANSPORTATION PLAN

Mass Transit

Arlington's mass transit service is Metrobus and Metrorail. Items to examine are service (frequency), location of stops, feeder-buses to the Metrorail, safety and any other issues that are identified on the questionnaire.

4. Housing

Type and Ownership

Describe the type of housing in your neighborhood: single-family detached, single-family attached (townhouse), duplex, (one unit on top of another unit), garden apartment, high-rise, etc. Also identify the mix of owner to renter-occupied households.

Condition

Assess the overall condition of the housing in your neighborhood. Information on the questionnaire and the physical survey will be your main source for this information. Distinguish between the structure and the property, i.e. peeling paint, and other signs of disrepair or decay versus overgrown vegetation, trash, and junk cars in yards. Identify the specific houses or apartments, which are problems.

Trends

Consider if certain trends are occurring or could occur, i.e., affordable rental and home ownership opportunities diminishing; rental units converting to condominiums; or single-family houses being consolidated for higher density development. What is the neighborhood's position on these issues?

5. Public Facilities and Services

For the following, assess the existing condition of the structure as well as the services provided:

- Schools - Note the location and type of each school, and the general condition of the school building, its grounds and play areas. Evaluate the quality of education or other components of the school environment.

- Libraries - Note the location and conditions of each facility. Evaluate the effectiveness of some or all of the library programs and general services.
- Parks, open space, recreation facilities, beautification projects – Are the parks and recreation areas adequate in terms of their size, number, and type of facilities? What is the condition of equipment and play fields? Are park grounds well maintained? Are there vacant lots or small parcels of public land that could benefit from beautification? Where would the neighborhood like to locate up to four neighborhood identification signs?
- Quasi-public uses (radio and TV stations, medical facilities, rehabilitation facilities, utilities)
- Handicapped access
- Public safety – police, fire and ambulance - Is there a crime problem or a perception of a problem in the neighborhood? Are police, fire, and ambulance response times adequate? Is there sufficient police presence in the neighborhood? Is there an active Neighborhood Watch Program?
- Trash collection
- Water and sewer
- Any other items identified in the questionnaire.

6. Social Services

In this section you would be examining the needs for such things as child care/dependent care or special services for elderly/handicapped. Other issues may be identified on the questionnaire.

7. Commercial/Business Area

Identify the businesses/commercial area in or bordering the neighborhood. Do these type of services meet neighborhood needs? Would the neighborhood support other kinds of services (identify them)? How can the neighborhood support/integrate the business community into the residential neighborhood? Are there any problems with the commercial area (trash, noise, parking, lighting, deteriorated conditions)? Contact the business owners and commercial property owners to get them involved in issue identification/analysis and NC Plan development.

8. Historic Preservation

Attached to this guide is a sample section for an NC Plan regarding Historic Preservation. This section might include an identification of houses in your neighborhood that are designated either as Historic Districts or are listed on the County's Inventory of Historical and Cultural Resources. Next, you might look to see if there are individual or groups of structures, sites or areas in the neighborhood which may have historical, cultural or architectural significance for your neighborhood, the County or the country.

Is the neighborhood interested in pursuing Historic District designation or other recognition of the historic value for individual structures or sites in the neighborhood, or for sections of the neighborhood?

9. Urban Forestry

The Urban Forest is the combined public and private inventory of trees found in an urban setting. It includes trees along public rights-of-way and in median strips, trees in undeveloped natural areas, trees in parks and on other public lands, and those trees on residents' private property. Items to include under this section are proposed landscaping projects on traffic islands, medians, dead end streets, walkways, and bike trails and a tree inventory (size, location, type and condition) on public and private property.

10. Other Issues

Other issues that have been included in NC Plans are: vandalism / graffiti, stream erosion, sanitary sewers, noise (from streets, airplanes, public facilities, commercial areas), and pet control.

WRITING THE NC PLAN

There are alternative approaches to writing the NC Plan. Typically, each subcommittee writes its own section. These are pulled together by the Plan editor, who reviews the material to make sure the sections flow easily and the transitions are smooth.

Someone also will need to write the introductory section and an executive summary. A discussion of the history of the neighborhood may be included in the introductory section, or may comprise a section of its own. Possible sources of information include “The Virginia Room” of Arlington’s Central Library (temporarily located at the Columbia Pike Library during construction at Central Library) and The Arlington Historical Society. Once a first draft has been assembled, the next step is to submit this draft to NC Staff for review.

County Staff Review of Draft Plan

County staff review is needed to identify where neighborhood recommendations conflict with County policies or practices, to try to minimize those differences before the Plan goes to the County Board for adoption, and to ensure that the language, methodology, and scope of the Plan is indicative of good planning practice. Staff also can assist the neighborhood in developing strategies and recommendations to respond to identified issues. Submitting drafts of sections at early stages (even in outline form) is encouraged.

There are two stages of staff review – review by NC Staff, and then Countywide review. NC Staff tries to work out as many “bugs” as possible before submitting the document for interdepartmental review, which may take anywhere from one to three months. NC Staff then will consolidate staff’s comments and forward them to the neighborhood.

Staff’s comments will be both editorial and content-based. In either case, it is important to keep in mind that staff’s comment is suggestion only, not required changes. However, also keep in mind that staff’s suggestions are based on technical expertise and experience. Understand that any remaining unresolved issues between staff and the neighborhood will be “flagged” to the County Board and will be footnoted (or otherwise noted) as such when the Plan is published. Again, the goal is to work out as many issues as possible to make the Plan an effective policy guide to the County Board.

CHAPTER 2: PLAN ACCEPTANCE

The following tasks must be completed, in the order listed, prior to submission of the Neighborhood Conservation Plan to the County Board for acceptance.

STAFF REVIEW

NC Staff reviews the final draft to identify any outstanding issues between staff's comments on the previous draft and the final draft. Depending on the type of revisions, it may be necessary for other County staff to review as well. This is the final stage of ironing out as many differences between staff and the neighborhood as possible. This is done expeditiously.

COMMUNITY REVIEW AND ADOPTION

All residents and property owners within the Neighborhood Conservation Area (regardless of membership in the civic association) must be notified that the final version of the NC Plan is completed and will be presented at a community-wide meeting (s) for review and adoption by the neighborhood. You may need a series of community meetings to discuss the Plan, make changes, and then finally adopt the Plan. The number of community meetings will depend on the amount and type of community feedback.

The notice should be received by residents and property owners (including nonresident property owners) at least two weeks (more if possible) prior to the meeting to allow sufficient time to review the Plan. NC Staff will arrange for duplication of the notice (and the recommendation list / executive summary). The neighborhood is responsible for distribution. The notice should include the following:

- a neighborhood contact person
- locations where copies are available for citizens review, e.g., nearby library, community center, school, web site
- contact information for copies are available upon request
- a statement that it is very important that people make every effort to come to the meeting; however, it is assumed that people not voting or expressing opposition to the Plan are in favor of the Plan, and
- a list of the Plan's recommendations or an executive summary

Some communities vote up or down on the entire Plan. Others vote by section or each recommendation. It is helpful to have the vote include a provision giving the NC committee editing authority within specified parameters. Again, voting on the NC Plan

is open to all residents and property owners within the NC Area regardless of membership in the civic association.

PRESENTATIONS TO NCAC, PLANNING COMMISSION AND COUNTY BOARD

The NC Plan Committee should prepare a 15 minute Power Point show depicting the character of the neighborhood and highlighting issues/problems addressed in the Plan.

Basic Format:

1. Identification of neighborhood (location, brief history, selected sites of interest, typical housing types)
2. Overview of plan development / update process
3. Survey results
4. Neighborhood Goals
5. Issue Areas / Topics of Neighborhood Concern / Primary Recommendations
6. Volunteer Recognition

The use of professional-quality visuals (photographs, handouts, drawings, maps) is encouraged. Materials should depict the character of the neighborhood (history, housing types, land use) and highlight issues / problems / opportunities addressed in the Plan.

1. Presentation to the Neighborhood Conservation Advisory Committee

The NCAC will vote on whether or not it recommends the Plan going forward for County Board adoption.

Purpose: Feedback on content and clarity
Desired Action: NCAC approves Plan, recommends Planning Commission and County Board acceptance

2. Presentation to the Planning Commission

When Plan adoption is recommended by the NCAC, it must next go before the Planning Commission for review and recommendation to the County Board. Scheduling of the presentation to the Planning Commission is dependent on having negotiations between the neighborhood and staff on any outstanding issues completed by the NCAC presentation. Staff will need approximately four to six weeks to complete the Board Report, so plan on a Planning Commission meeting date that conforms to this approximate schedule.

Purpose: Information conveyed to Planning Commission and discussion of land use issues

Desired Action: Recommends County Board acceptance

3. Presentation to the County Board

Purpose: Information conveyed to County Board, public and County Manager / County departments, discussion of issues identified in Plan, highlighting of problems requiring remedial action by the County

Desired Action: Accepts NC Plan using a standard motion which states that Neighborhood Conservation Plans have three purposes:

To build a neighborhood vision and consensus on issues affecting the neighborhood, to evaluate County service delivery and the state of the neighborhood , and to suggest policies and projects that will improve the neighborhood

To establish eligibility for Neighborhood Conservation funding

To provide guidance to the County Board, Commissions, Departments and staff concerning issues in neighborhoods

The NCAC representative and the civic association President should present the testimony, and neighborhood volunteers are encouraged to attend both the Planning Commission and County Board meetings.

CHAPTER 3: AMENDING NEIGHBORHOOD CONSERVATION PLANS

NC Plans are comprehensive in scope and are intended to provide long-term (10 years or more) guidance to residents, developers, local officials, and others. With such a mission, it is reasonable to expect that situations may arise from time to time that were not accounted for in the NC Plan. Fortunately, NC Plans can be amended. For example, if the neighborhood wants to pursue a project that is not identified in its Plan, the neighborhood must amend its Plan to include the project prior to requesting funding under the Neighborhood Conservation Program.

To amend a NC Plan, the neighborhood organization must notify all residents within the NC Area (regardless of membership in the civic association) that the proposed amendment (s) will be voted on at an upcoming neighborhood meeting. If the neighborhood approves the amendment (s), it then must be presented to the Neighborhood Conservation Advisory Committee (NCAC). The NCAC will vote whether or not to endorse the amendment. As in the plan approval process, the amendment must go before both the Planning Commission and County Board, accompanied by a staff-prepared Board Report that recommends acceptance of the amendment.

CHAPTER 4: PLAN REVIEW AND UPDATING

Counties are not static entities, but are constantly undergoing change. In general, change does not occur uniformly throughout a county. Some areas may experience rapid change, whereas other areas remain relatively constant for years. Arlington County is no exception. While Arlington neighborhoods in or near the metro corridors have experienced tremendous change in the last ten to twenty years, other outlying areas have remained relatively unchanged or have changed much more slowly.

Change is the most important factor in deciding whether or not to update your Neighborhood Conservation (NC) Plan. However, since not all neighborhoods experience change at the same rate, reviewing and updating NC Plans is not mandatory. However, it is important to keep your NC Plan current because it serves as a policy guide to the County Board in decisions affecting land use and the provision of County services and facilities. As a NC Plan gets older and the demographic and neighborhood data becomes out-of-date, the County Board and others seeking guidance from it have less assurance that it is representative of current resident values and concerns. Thus, it is in a neighborhood's best interest to have a current and representative NC Plan.

PLAN REVIEW

Whether or not a neighborhood decides to update its NC Plan, we recommend that a neighborhood review its NC Plan 10 years after the initial adoption, and then every five years thereafter. A plan review is a process in which a neighborhood organization scrutinizes its Plan to determine if the information, concerns, recommendations, and goals are still relevant and useful for guiding decisions affecting the future of its neighborhood. If the NC Plan is no longer useful in this way, a plan update may be indicated.

A neighborhood contemplating a plan review should begin by advertising the subject for a community meeting. The merits of a plan review are discussed at this meeting and a vote of the members is taken. Once a neighborhood decides to review its Plan, the first step is to form a subcommittee of the community organization to perform this task. You may want to appoint a chairman who can then assign each portion of the task to a subcommittee member.

There are five basic steps to the plan review process:

1. Determine whether the scope of your existing Plan is sufficiently broad to cover the full range of current neighborhood issues. For example, the focus of many early Neighborhood Conservation Plans was primarily on the need for physical improvements such as curb, gutter, and sidewalk, and also land use and zoning issues. As Arlington County became more urbanized, the focus of NC Plans expanded to include such concerns as residential traffic management, high density development, business conservation, noise and nuisance abatement, historic preservation, crime,

pedestrian access and safety, and others. Thus, the neighborhood must determine if there are any new issues that need addressing.

2. Review your Plan's goals. Do they still embody the values of the neighborhood? Is the course charted for the neighborhood still valid, or are adjustments needed? What is most appropriate for the neighborhood – overall goals or goals for each subject area of the Plan? Getting an accurate handle on residents' true hopes and desires for their neighborhood is one of the most difficult aspects of planning. To this end, the more people the review your current Plan's goals the better. Questionnaires are a good tool for ascertaining neighborhood goals, but are too time consuming for a plan review. A strong case can be made for updating your current Plan if it does not contain goals.

3. Assess the degree to which your neighborhood's physical and social environment has changed since your Plan was first accepted. Has there been much new development or redevelopment? If the answer is "yes", then there has probably been a number of rezoning and amendments to the General Land Use Plan (GLUP). Also, has there has been substantial revisions to either the zoning ordinance or the GLUP, such that the categories of districts themselves have changed? The greater the extent of modifications to the zoning map, zoning ordinance, or the GULP, since your Plan was accepted, the greater the need for an update.

You will also want to note any new public facilities or programs in or near your neighborhood, particularly if they address a need identified in your current Plan. Social changes, or changes in the composition of the resident population, are more difficult to gauge. Generally this can only be determined through a questionnaire or from census data. However, the committee may have a general sensing of the magnitude of change, if any, in the resident composition of the neighborhood.

4. Determine the status of projects and recommendations identified in your Plan. However have most or all been completed? Or, conversely, are there some projects (which have not been funded or implemented) which are no longer relevant to neighborhood goals? The more the neighborhood can answer "yes" to the above questions, the more an update is warranted. Note, NC Staff is available to assist the neighborhood in determining the exact status of funded projects.

5. Determine the extent of new projects your neighborhood would like to pursue that currently are not provided for in its current Plan. Such projects can be added to the Plan through an amendment process. In the case where only a few amendments would be required to include new projects, and the review of your Plan thus far does not strongly suggest an update is needed, it may make more sense to proceed with the amendments than an update. On the other hand, if many amendments would be required and your review thus far strongly suggest that a plan update is needed, it may make more sense to proceed with a plan update.

TYPE OF UPDATE

There are two possible types of Plan updates. The first is a “minor update”. A minor update is indicated when much of the current Plan is still valid. In such instances only those portions of a Plan that have become out-of-date (either due to the passages of time or changing circumstances) need be revised. The update may entail adding new sections, although the basic format of the Plan may remain the same. Also, the neighborhood may choose whether or not to distribute a questionnaire, either the original or a revised version.

A major update is indicated when most, if not all, of the information/data contained in a Plan is no longer true or is too out-of-date to be useful for planning purposes. This is particularly true when more recent information is available such as Census data. In such instances, a plan update will entail a complete rewrite.

PUBLIC NOTICE AND VOTE TAKEN

Upon completion of a plan review, a neighborhood should hold a meeting of its membership to present the findings of the plan review and to take a vote regarding the need for a plan update. The entire neighborhood organization should be involved in the decision regarding the plan update. Whatever the outcome of the vote, a neighborhood should notify the NCAC in writing of its action.

A MAJOR PLAN UPDATE

A major plan update of a NC Plan essentially entails developing a new plan; however, you may want to retain the original format determine if a new or revised format would meet your needs better. It may be possible to reuse your original neighborhood questionnaire (if still available), or you may want to create a new questionnaire. The questionnaire is needed to obtain current neighborhood input regarding residents’ concerns and goals. Some, or possibly all, of the goals in your Plan may be recycled. However, that determination can only be made after obtaining substantial public (neighborhood) input through a neighborhood questionnaire and from public review. The steps in completing a major plan update are identical to those followed in creating a new NC Plan.

SAMPLE LETTER OF COMMITMENT

Chairman
Neighborhood Conservation Advisory Committee
2100 Clarendon Boulevard, Suite 701
Arlington, Virginia 22201

Dear Sir or Madam:

Our organization voted at its _____insert date here_____general membership meeting to participate in the Neighborhood Conservation Program and proceed with preparing a Neighborhood Conservation Plan for our neighborhood. It is understood that we will make every effort to complete a survey and neighborhood inventory within a twelve month period and will establish a timetable for plan preparation.

Our primary and alternate representatives to the NCAC will be:

We understand that attendance at NCAC meetings is a prerequisite for active participation and project funding, and will assure that a neighborhood representative attends these meetings, which are held on the second Thursday of each month.

Our neighborhood boundaries are as follows:

Yours very truly,

President
Organization

TIMELINE FOR NEIGHBORHOOD CONSERVATION PLAN DEVELOPMENT

 (Neighborhood)

 (Neighborhood Contact & Telephone No.)

 (Address)

Note: All tasks to be performed by the NC Plan Committee unless otherwise noted.
 County Staff is available to assist the neighborhood in accomplishing these tasks.

NEIGHBORHOOD COMMITMENT TO PROGRAM

1. Request information meeting
- Meeting held at _____
2. Submit Letter of Commitment and neighborhood boundaries
 To NCAC Chairman
3. Neighborhood Conservation (NC) staff sends materials to
 Neighborhood organization.....

PLAN PREPARATION

1. Form Neighborhood Committee to work on Plan.....
2. Design questionnaire and cover letter.....
3. NC Staff reviews questionnaire
4. Revise questionnaire as desired.....
5. County prints questionnaire
6. Distribute questionnaire to residents.....
7. Collect questionnaire from residents.....
8. Analyze questionnaire results
9. Conduct walkthrough / survey / inventory
10. Assign various subject areas to subcommittees
11. Formulate goals, identify solutions / projects
12. Write first draft of NC Plan and prepare draft maps

| Start Date | Estimated Completion Date | (✓) |
|------------|---------------------------|-------|
| | | |

- 13. NC Staff reviews 1st draft and maps, forwards to County agencies
- 14. Write 2nd draft and correct maps, return to NC Staff
- 15. Take photographs for presentation to NCAC, Planning Commission and County Board
- 16. NC Staff distributes 2nd draft to County agencies
- 17. Changes to 2nd draft and maps complete; return to NC Staff
- 18. Send notice to residents for meeting(s) to review and approve final Plan
- 19. Neighborhood approves Plan

Neighborhood Plan Acceptance

- 1. NCAC reviews Plan and makes a recommendation to the County Board.
- 2. Neighborhood Conservation Staff writes Board report...
- 3. Planning Commission reviews Plan and makes a recommendation to the County Board.....
- 4. Presentation to County Board

Neighborhood Conservation Plan Formats

A wide variety of formats are possible for developing a NC Plan. However, certain elements should be included in every Plan. Every NC Plan should contain goal statements and long-range (20-year) recommendations for the general enhancement and preservation of the community. Specific subject areas that should be included are: land use, zoning, transportation, and public services and facilities.

BASIC COMPONENTS

I. Introductory Section

1. Acknowledgement of block captains and/or subcommittees and chairman (examples available upon request)
2. Index
3. Executive Summary (examples available upon request)
4. Introduction
5. History of the NC Area
6. Chronology of Plan Development

II. Neighborhood Goals

A general statement of the desired future condition for a community; an end toward which actions are aimed.

III. Suggested Subject Areas:

1. Land Use
2. Zoning
3. Parks and Recreation
4. Traffic Management and Parking
5. Storm Drainage
6. Streets, Curbs, Gutters and Sidewalks
7. Street Lighting

8. Sanitary Sewer
9. Community Services (trash pick-up, snow removal, police, fire, schools, etc.)
10. Human Services (job training, nutrition program, etc.)
11. Historic Preservation
12. Environmental Conditions (air quality, noise, etc.)
13. Commercial Development/Business Conservation
14. Housing
15. Beautification (median landscaping, neighborhood signs)
16. Urban Forestry (inventory of trees on public right-of-way)
17. Public Art.

NOTE: It may be possible to combine some subject areas. For each Subject Area include:

1. A description/assessment of the existing situation. Include identification of problems and opportunities.
2. Recommendations for each subject area. Outline realistic solutions to solve problems identified previously.
3. Maps and Graphics. Draft maps should illustrate both existing conditions and recommendations. Photographs and other specialized graphics are also desirable for insertion into the main text

IV. Suggested Appendices

1. Neighborhood survey and survey results
2. Demographics for the neighborhood
3. Summary of recommendations (project and policy)
4. Preliminary site plans or cost estimates for projects

Appendix B
Sample Ordinances
-San Antonio, TX-

35-335 Neighborhood Conservation District (NCD)**(a) Purpose.**

- (1) Within the City of San Antonio there are many unique and distinctive residential neighborhoods or commercial districts which contribute significantly to the overall character and identity of the City. They are worthy of preservation and protection, but may lack sufficient historical, architectural or cultural significance at the present time to be designated as historic districts. As a matter of public policy, the City Council aims to preserve, protect, enhance, and perpetuate the value of these residential neighborhoods or commercial districts through the establishment of Neighborhood Conservation Districts.
- (2) The purposes of a Neighborhood Conservation District in residential neighborhoods or commercial districts are as follows:
 - A. to protect and strengthen desirable and unique physical features, design characteristics, and recognized identity and charm;
 - B. to promote and provide for economic revitalization;
 - C. to protect and enhance the livability of the City;
 - D. to reduce conflict and prevent blighting caused by incompatible and insensitive development, and to promote new compatible development;
 - E. to stabilize property values;
 - F. to provide residents and property owners with a planning tool for future development;
 - G. to promote and retain affordable housing;
 - H. to encourage and strengthen civic pride; and
 - I. to ensure the harmonious, orderly and efficient growth and redevelopment of the City.
- (3) The Neighborhood Conservation District planning tool implements the following policies of the Master Plan:
 - A. Neighborhoods, Policy 2b (1): Establish a zoning classification such as a Conservation District or a Planned Development District for neighborhood specific plans.
 - B. Urban Design, Policy 1b (1): Create and adopt urban design guidelines and standards that will enhance the quality of life in San Antonio, and which specifically encourage the following...preservation and enhancement of the City's important historic and cultural characteristics, including architectural styles and historic districts, as well as existing residential and commercial districts, and neighborhood centers.
 - C. Urban Design, Policy 1d (1): Involve neighborhoods in developing neighborhood-specific plans that define the character and pattern of development for their neighborhood, and that establish infill development guidelines.

(b) Designation Criteria.

To be designated as a Neighborhood Conservation District, the area must meet the following criteria:

- (1) contain a minimum of one blockface (all the lots on one side of a block);
- (2) at least 75% of the land area in the proposed district was improved at least 25 years ago, and is presently improved; and

35-335(b) continued

- (3) possess one or more of the following distinctive features that create a cohesive identifiable setting, character or association:
 - A. scale, size, type of construction, or distinctive building materials;
 - B. spatial relationships between buildings;
 - C. lot layouts, setbacks, street layouts, alleys or sidewalks;
 - D. special natural or streetscape characteristics, such as creek beds, parks, greenbelts, gardens or street landscaping;
 - E. land use patterns, including mixed or unique uses or activities; or
 - F. abuts or links designated historic landmarks and/or districts.

(c) Zoning Authority.

- (1) Separate ordinances are required to designate each Neighborhood Conservation District. Ordinances designating each district shall identify the designated boundaries, applicable Designation Criteria and design standards for that district, and be consistent with any existing Neighborhood and/or Community plans.
- (2) Overlay district. Neighborhood Conservation Districts are designed as overlays to the regular zoning districts. Property designated within these districts must also be designated as being within one or more of the regular base zoning classifications. Authorized uses must be permitted in both the regular zoning district and the overlay district. Property designated as a Neighborhood Conservation District may have additional designations. Such property shall comply with all applicable use restrictions.
- (3) Zoning designation. The zoning designation for property located within a Neighborhood Conservation District shall consist of the base zone symbol and the overlay district symbol (NCD) as a suffix. Neighborhood Conservation Districts shall be numbered sequentially to distinguish among different districts, i.e., R-6 (NCD-1), C-1 (NCD-2), etc.
 - A. The designation of property within a Neighborhood Conservation District places such property in a new zoning district classification and all procedures and requirements for zoning/rezoning must be followed.
 - B. In the event of a conflict between the provisions of a specific Neighborhood Conservation District ordinance and the regular base zoning district regulations, the provisions of the Neighborhood Conservation District ordinance shall control.
 - C. Except as modified by this section, the procedures for zoning changes set forth in § 35-3024 shall otherwise apply to the designation of an area as a Neighborhood Conservation District.
 - D. Upon designation of an area as a Neighborhood Conservation District, the City Council shall cause notice of such designation to be recorded in the official public records of real property of Bexar County, the tax records of the City of San Antonio and the Bexar Appraisal District, and the House Numbering section of the City of San Antonio's Development Services Department.

(Ord. No. 98697 § 5)

(d) Initiation Procedures.

- (1) A zoning change application for designation as a Neighborhood Conservation District shall be initiated at the direction of the:
 - A. request of owners representing 51% of the land area within the proposed district, or
 - B. request of 51% of property owners within the proposed district, or
 - C. Director of Planning, pursuant to a Neighborhood or Community Plan adopted by City Council, or City or community revitalization program.

- (2) Following initiation for designation of a Neighborhood Conservation District, the Planning Department shall develop a Neighborhood Conservation Plan for the proposed district that includes:
 - A. maps indicating boundaries, age of structures and existing land use within the proposed district;
 - B. maps and other graphic and written materials identifying and describing the distinctive neighborhood and building characteristics of the proposed district;
 - C. a list of all property owners (with legal addresses), neighborhood associations and/or other organizations representing the interests of property owners in the proposed district; and
 - D. design standards.

- (3) All property owners within the proposed district shall be afforded the opportunity to participate in drafting the Neighborhood Conservation Plan, which will be approved as part of the zoning ordinance creating a Neighborhood Conservation District.

(e) Design Standards.

- (1) The conservation plan approved as part of the zoning ordinance creating a Neighborhood Conservation District shall include Design Standards for new construction of any building or structure, or the relocation or rehabilitation to the street facade of an existing building or structure.

- (2) The Neighborhood Conservation Plan, and requisite Design Standards shall not apply to those activities which constitute ordinary repair and maintenance, i.e., using the same or similar material and design.

- (3) The Design Standards for the Neighborhood Conservation District must include at a minimum (or note the inapplicability), the following elements governing the physical characteristics and features of all property (public or private) within the proposed district:
 - A. building height, no. of stories;
 - B. building size, massing;
 - C. principal elevation features;
 - D. lot size, coverage;

35-335(e) continued

- E. front and side yard setbacks;
- F. off-street parking and loading requirements;
- G. roof line and pitch;
- H. Paving, hardscape covering;

(4) In addition, the Design Standards may include, but shall not be limited to, the following elements:

- A. building orientation;
- B. general site planning (primary, ancillary structures);
- C. density;
- D. floor area ratio;
- E. signage;
- F. architectural style and details;
- G. building materials;
- H. garage entrance location;
- I. window/dormer size and location;
- J. landscaping;
- K. fences and walls;
- L. entrance lighting;
- M. driveways, curbs and sidewalks;
- N. utility boxes, trash receptacles;
- O. street furniture;
- P. solar systems, components;
- Q. building relocation;
- R. right-of-way (exceeding Public Works standards)

(f) *Neighborhood Ordinance Administration*

- (1) No building permit shall be issued by the Department of Development Services for new construction or an alteration or addition to the street facade of an existing building or structure within a designated Neighborhood Conservation District without the submission and approval of design plans and the issuance of a Certificate of Compliance by the Director of Development Services.
- (2) The Director of Development Services shall forward a copy of a building permit application to the Director of Planning for review and comment.

(Ord. No. 98697 § 1)

(g) *Violation of Provisions.*

- (1) The violation of any provision of this section shall constitute a violation of this Chapter and may be prosecuted in municipal court regardless of whether civil or administrative action is taken against the permit holder. Upon conviction, the permit holder shall be subject to the penalties prescribed in Article 1, Division 2 of this Chapter.

35-335(g) continued

- (2) The Director of Planning may request the City Attorney to institute a civil action as prescribed in Article 1, Division 2, regardless of whether a criminal action has been taken.

35-336 Utility Conversion Districts

Within the City there are numerous corridors in which the transmission of electricity, telecommunications, cable television and other technologies (collectively referred to as utilities or facilities within this division) has been facilitated through the use of above ground poles in public rights-of-way and easements.

Undergrounding or relocation of these facilities can provide a safer environment for the public. Undergrounding, relocation or redesign of these facilities can enhance the surrounding development by improving the visual appearance and appeal of the City's visitor attractions, scenic views and urban corridors, cultural and historical resources, public gathering places and other major public facilities. The undergrounding, relocation or redesign of these facilities can also promote economic development and revitalization in surrounding areas, increase the value of commercial properties and residential neighborhoods, and improve the quality of life for all San Antonians.

The establishment of utility conversion districts requires mechanisms to identify and designate the specific corridors and areas to be modified, to determine the nature of the improvements to be required in each such corridor or area, to require the various utility companies to implement these projects as parts of public works or civic improvement projects directed by City Council and to require property owners and utility customers to modify their property as necessary to receive utility services from underground, relocated or redesigned distribution systems.



(Ord. No. 98697 § 6)

(a) Applicability

To be established as a utility conversion district, a corridor or area must meet either one of the following criteria:




- The proposed utility conversion district includes the area of another public works or civic improvement project which is already planned and for which reasonable assurance of funding has been secured. If the existing public works or civic improvement project does not already require some relocation of existing above-ground utilities in the area, then it must be of such unique and city wide significance, as determined by City Council, to justify consideration to achieve the purposes of this subdivision. This related project does not need to be sponsored or financed by the City, but it must be the project of a governmental entity; or
- A utility conversion district is proposed by a petition of the property owners in the area. The petition must be signed by the owners of at least two-thirds (2/3) of the total number of lots or separate tracts of land in the area of the proposed district, and the property of these owners must encompass at least two-thirds (2/3) of the total land area of the proposed district, excluding the area of streets, alleys and other public rights-of-way and of any other land owned by the City. Petitioners shall use the City petition form for utility conversion districts to ensure that the project proposed is technically

**WHISPERING OAKS NEIGHBORHOOD
CONSERVATION DISTRICT (NCD-4) DESIGN STANDARDS**


| FEATURE | RESIDENTIAL DESIGN STANDARD | CONFORMING / NON-CONFORMING ILLUSTRATIONS |
|------------------------------|--|--|
| Building Size / Massing | <p>Minimum building sizes shall conform to standards noted in 'Whispering Oaks NCD Design Standard Matrix', which are determined by the geographic section of development as it historically occurred and are reflective of the current development standards generally recognized in this neighborhood.</p> <p>*Note: total floor areas of primary structure shall be calculated by measuring the dimensions of exterior walls exclusive of garages, open porches, patios or detached structures.</p> |  |
| Lot Size | <p>Minimum lot sizes shall conform to standards noted in 'Whispering Oaks NCD Design Standard Matrix', which are determined by the geographic section of development as it historically occurred and are reflective of the current development standards generally recognized in this neighborhood. Where the original required minimum lot sizes and dimensions for this area are numerically less than the requirements of the UDC or absent entirely, the UDC standards shall apply. Parcels shall not be aggregated for the purpose of building structures over two or more parcels. Parcels may be aggregated for the purpose of creating open space or park space whether public or private.</p> | |
| Principal Elevation Features | <p>Second Story additions shall include windows on facades, that are viewable from the street, in the same proportion as the existing structure's facades below the addition.</p> <p>Detached homes shall maintain an entry facing the front of the parcel.</p> |  |
| Front and Side Yard Setbacks | <p>Front Yard Setback: Minimum and maximum front setbacks shall conform to standards noted in 'Whispering Oaks NCD Design Standard Matrix', which are determined by the geographic section of development as it historically occurred and are reflective of the current development standards generally recognized in this neighborhood.</p> <p>Side Yard and Rear Setbacks: Where defined in 'Whispering Oaks NCD Design Standard Matrix' the side yard and rear setback will apply according to the matrix. Otherwise, the UDC applies per zoning category standards (generally 5'); except where zero lot lines exist, the opposite side must maintain 5' side setback .</p> | |

A-45

**WHISPERING OAKS NEIGHBORHOOD
CONSERVATION DISTRICT (NCD-4) DESIGN STANDARDS**

| FEATURE | OPTIONAL RESIDENTIAL DESIGN STANDARD | CONFORMING / NON-CONFORMING ILLUSTRATIONS |
|----------------------------|---|--|
| Paving, Hardscape Covering | <p>Driveways must be constructed of concrete, asphalt or masonry materials, such as brick pavers, stone or any other material that is generally considered impervious. Driveways shall maintain a width no greater than the width plus 20% of the garage or carport opening.</p> <p>No parcel shall contain more than 50% impervious cover in the front yard.</p> |  |
| Fences | No fencing shall be allowed within the front yard. Chain link fencing shall be prohibited in this district. |  |
| Building Materials | All residential structures must maintain at least 75% masonry materials or masonry veneer (i.e. stucco, stone, brick, or other masonry unit material) on the first floor facades. |  |

**WHISPERING OAKS NEIGHBORHOOD
CONSERVATION DISTRICT (NCD-4) DESIGN STANDARDS**

| | | |
|------------------------------------|--|--|
| <p>Garages / Carports</p> | <p>All residential properties shall maintain a carport or garage and must be sized for two standard sized cars. Carports shall be constructed of materials that match the primary dwelling structure's front façade in composition, size, proportion and location.</p> |  <p align="center">Non-Conforming (Top) / Conforming (Bottom)</p> |
| <p>Recommended Signage:</p> | <p>Permanent signage on residential properties is not recommended in the district . Signage not requiring a permit in the front or side yards is recommended in the following amounts: 1 – Professional (Commercial) Sign per property not to exceed 1 s.f.. of signage area per side. 1 – Non-commercial (specifically- 'For Sale' / 'For Rent') per property not to exceed 5 s.f. of signage area per side.</p> | |
| <p>Temporary Structures</p> | <p>No temporary structures, such as greenhouses, portable tool sheds or portable carports or shade structures, are to be allowed within the district that are viewable from the street. Temporary structures shall be defined as structures that do not have a permanent foundation (whether a slab-on-grade, piers or piles, or post and beam) below grade that support a building structure.</p> | |

**WHISPERING OAKS NEIGHBORHOOD
CONSERVATION DISTRICT (NCD-4) DESIGN STANDARDS**

| FEATURE | RESIDENTIAL DESIGN STANDARD | CONFORMING / NON-CONFORMING ILLUSTRATIONS |
|--|--|--|
| OTHER REQUIRED DESIGN STANDARDS | | |
| Building Height, Number of Stories | None required per NCD; Unified Development Code standards apply | |
| Roof Line/Pitch | None required per NCD | |
| Off-street Parking/ Loading | None required per NCD; Unified Development Code standards apply | |
| Common Spaces | The common spaces, such as the swimming pool facilities, outdoor activity areas and tennis court facilities shall be exempt from the Whispering Oaks NCD standards contingent on perpetuation of the current use. Should the parcels where these facilities currently exist be used for residential land uses in the future, the residential design standards shall apply, using the standards of the geographic area closest to the common spaces and sharing the same type of residential development. | |
| FEATURE | NON-RESIDENTIAL DESIGN STANDARD | CONFORMING / NON-CONFORMING ILLUSTRATIONS |
| NO NON-RESIDENTIAL STANDARDS ARE PROPOSED FOR THIS DISTRICT | | |

**WHISPERING OAKS
NEIGHBORHOOD CONSERVATION DISTRICT (NCD-4) DESIGN STANDARDS MATRIX**

| Whispering Oaks Geographic Location | Setback (ft.) | | | | Building Size (sq. ft.) | | | Lot Dimensions | |
|---|---------------|-----|---|------------|-------------------------|----------------|------------|------------------------------------|--|
| | Front | | Rear | Side | Floor Area | Area (sq. ft.) | Width (ft) | | |
| | Min | Max | Min | Min | Min* | Min | Min | Min | |
| Whispering Oaks Unit 1, Lots 1-19 Block 1 NCB 14131, Lots 29-31 Block 1 NCB 14131, Lots 1-11 Block 4 NCB 14134, Lots 1-27 Block 5 NCB 14135, Lots 1-20 Block 6 NCB 14136, Lot 1 Block 7 NCB 14137 | 30 | 45 | 30 | 5 or 10*** | 1525 (1) / 1750 (2) | 8600 | 75 | | ***10' side setback only applies to parcels having a side street or corner lot condition |
| Whispering Oaks Unit 2 Lots 39-46 Block 2 NCB 14132 | 30 | 45 | 25 | ** | 1525 (1) / 1750 (2) | 8600 | 75 | | |
| Whispering Oaks Unit 10 Lots 10-32 Block 17 NCB 15077, Lots 1-8 Block 18 NCB 15078, Lots 41-60 Block 19 NCB 15079, Lots 1-27 Block 22 NCB 15082 | 20 | 45 | 15 | 5 | 1700 (1) / 1850 (2) | 7200 | 40 | | |
| Whispering Oaks Unit 10 Lots 46-50 Block 23 NCB 15083, Lots 67-76 Block 23 NCB 15083 | 20 | 40 | 6 | 0 or 10 | 1500 (1) / 1600 (2) | 5000 | 40 | | |
| Whispering Oaks Unit 10 Lots 1-14 Block 26 NCB 16473, Lots 34-45 Block 23 NCB 15083 | 20 | 40 | 6 | ** | 1500 (1) / 1600 (2) | 5000 | 40 | | |
| Whispering Oaks Unit 11 Lots 1-40 Block 19 NCB 15079, Lots 1-14 Block 20 NCB 15080, Lots 1-12 Block 21 NCB 15081 | 20 | 55 | 15 | 5 | 1800 (1) / 2000 (2) | 7200 | 40 | | |
| Whispering Oaks Unit 12 Garden Houses Lots 56-73 Block 10 NCB 14140 | 10 | 50 | 12* (*or 0 where rear alleys are present)** | | 1450 (1) / 1600 | 3000 | 20 | UDC Min Lot Size / Dimension apply | |
| Whispering Oaks Unit 13 Lots 52-59 Block 1 NCB 14131, Lots 47-56 Block 7 NCB 14137 | 20 | 55 | 15 | 5 | 1800 (1) / 1900 (2) | 7000 | 40 | | |
| Whispering Oaks Unit 14 Lots 57-62 Block 7 NCB 14137 | 25 | 100 | 15 | 5 | 1800 (1) / 1900 (2) | 7000 | 40 | | |
| Whispering Oaks Unit 2 A Townhouses, Lots 56-60, Block 2 NCB 14132 | 20 | 30 | 15 | ** | 1550 (1) / 1600 (2) | 2500 | 25 | UDC Min Lot Size / Dimension apply | |
| Whispering Oaks Unit 2 B Townhouses, Lots 61-66, Block 2 NCB 14132 | 20 | 30 | 15 | ** | 1550 (1) / 1600 (2) | 2500 | 25 | UDC Min Lot Size / Dimension apply | |

**WHISPERING OAKS
NEIGHBORHOOD CONSERVATION DISTRICT (NCD-4) DESIGN STANDARDS MATRIX**

| Whispering Oaks Geographic Location | Setback | | | | Building Size | | Lot Dimensions | |
|---|---------|-----|------|-----|--------------------------------------|--------|----------------|------------------------------------|
| | Front | | Rear | | Floor Area | Area | Width | |
| | Min | Max | Min | Max | Min* | Min | Min | |
| Whispering Oaks Unit 3, Lots 20-27 Block 1 NCB 14131; Unit 4, Lots 32-51 Block 1 NCB 14131, Lots 1-7 Block 2 NCB 14132, Lots 1-20 Block 3 NCB 14133, Lots 12-24 Block 4 NCB 14134 | 30 | 45 | 15 | 5 | 2000 (2); Unit 4-1525 (1) / 1750 (2) | 8600 | 75 | |
| Whispering Oaks Unit 4A Townhouses Lots 67-72 Block 2 NCB 14132 | 20 | 30 | 15 | ** | 1550 (1) / 1600 (2) | 2500** | 25** | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 4B Townhouses Lots 74-83 Block 2 NCB 14132 | 20 | 30 | 15 | ** | 1550 (1) / 1600 (2) | 2500** | 23** | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 4C Townhouses Lots 84-86 Block 2 NCB 14132 | 20 | 30 | 15 | ** | 1550 (1) / 1600 (2) | 2500** | 25** | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 4D Townhouses Lots 93 and 94 Block 2 NCB 14132 | 20 | 30 | 15 | ** | 1450 (1) / 1600 (2) | 2500** | 23** | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 4E Townhouses Lots 95-97 Block 2 NCB 14132 | 20 | 30 | 15 | ** | 1450 (1) / 1600 (2) | 2500** | 23** | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 4W Townhouses Lots 77-92 Block 2 NCB 14132 | 20 | 30 | 15 | ** | 1450 (1) / 1600 (2) | 2500** | 23** | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 5A Townhouses Lots 54-55, Block 2 NCB 14132 | 20 | 30 | 15 | ** | 1550 (1) / 1600 (2) | 2500** | 25** | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 6 Lots 21-36 Block 6 NCB 14136, Lots 3-32 Block 7 NCB 14137, Lots 1-26 Block 8 NCB 14138 | 30 | 45 | 15 | 5 | 1525 (1) / 1750 (2) | 2000** | 20** | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 7 Lots 33-44 Block 7 NCB 14137, Lots 1-40 Block 10 14140, Lots 1-8 Block 9 NCB 14139 | 30 | 50 | 15 | 5 | 1700 (1) / 2000 (2) | 8600 | 70 | |
| Whispering Oaks Unit 7 Townhouses Lots 16-23 Block 11 NCB 14141 | 10 | 30 | 15 | 5 | 1450 (1) / 1600 (2) | 2000** | 20** | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 7 Townhouses Lots 4-7, Block 11 NCB 14141 | 20 | 30 | 15 | 5 | 1450 (1) / 1600 (2) | 2500** | 23** | UDC Min Lot Size / Dimension apply |

**WHISPERING OAKS
NEIGHBORHOOD CONSERVATION DISTRICT (NCD-4) DESIGN STANDARDS MATRIX**

| Whispering Oaks Geographic Location | Setback | | | Building Size | | | Lot Dimensions | | UDC Min Lot Size / Dimension apply |
|--|---------|-----|------|---------------|---|--------|----------------|-----|---|
| | Front | | Rear | Side | Floor Area | Area | Width | Min | |
| | Min | Max | Min | Min* | Min | Min | | | |
| Whispering Oaks Unit 7D Townhouses Lots 98-102 Block 2 NCB 14132 | 20 | 30 | 12 | ** | 1450 (1) / 1600 (2) | 2500** | 23** | | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 8 Townhouses Lots 44 and 41 Block 10 NCB 14140, Lot 50 Block 11 14141 | 25 | ** | ** | ** | No Minimum Bldg Size | ** | ** | | UDC Min Lot Size / Dimension apply |
| Whispering Oaks Unit 9 Lots 1-11 Block 13 NCB 15073, Lots 1-22 Block 14 NCB 15074, Lots 1-21 Block 15 NCB 15075, Lots 1-19 Block 16 NCB 15076, Lots 1-9 Block 17 NCB 15077 | 30 | 45 | 15 | 5 | 1700 (1) / 2000 (2) | 8600 | 70 | | |
| Whispering Oaks Unit 9 Lots 3-31 Block 23 NCB 15083, Lots 1-21 Block 24 NCB 16317, Lots 1-14, Block 25 NCB 16318 | 10 | 30 | 12 | 5 | 1450 (1) / 1600 (2) | 2000** | 20** | | UDC Min Lot Size / Dimension apply |
| | | | | | * Note: (1) refers to single story structure and (2) refers to two story or split-level structures. | | | | ** Where Minimum Lots Areas, Lot Widths and Setbacks are less than the UDC requirements or absent entirely, the UDC standards shall apply per the appropriate base zoning category. |

Appendix B
Sample Ordinances
-Wilmington, DE-

**AN ORDINANCE TO AMEND CHAPTER 48 OF THE CITY CODE TO CREATE THE PROCEDURES
FOR DESIGNATION OF NEIGHBORHOOD CONSERVATION DISTRICTS**

WHEREAS, Neighborhood Conservation Districts have been determined to be necessary where traditional City Historic District protection is not suitable or warranted, either because of a lack of significant community or political support, or because the built environment does not meet the criteria for historic resource recognition as defined by the Secretary of the Interior and the Delaware State Historic Preservation Office; and

WHEREAS, the City Council of the City of Wilmington deems it appropriate and necessary to provide for the conservation of districts that exhibit certain historic or other significant characteristics through amendments to the zoning code in the interest of public health, safety, and welfare by establishing procedures for designating such districts, and subsequent review and approval of certain proposed building-related exterior treatment(s) within these districts; and

WHEREAS, the City Planning Commission, by its Resolution 8-04, has recommended the adoption of amendments to the zoning code applicable to conservation districts; and

THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Chapter 48 of the City Code is hereby amended by amending Section 36 by adding the underlined language to read as follows:

48-36. Building Permits.

- (d) Review of applications for demolition permits prior to issuance.
 - (4) Buildings which are classified in any of the following shall be subject to further review by the department of planning and development and/or the city design review and preservation commission:
 - f. Buildings within an existing Neighborhood Conservation District.

SECTION 2. Chapter 48 of the City Code is hereby amended by adding a new subdivision and sections to Article IX, Division 2, to read as follows:

Subdivision 3. Neighborhood Conservation Districts

48-421. Definitions.

In addition to the definitions contained in sections 2 and 396 of this chapter, the following words, terms and phrases, when used in this subdivision, shall have the meaning ascribed to them in this section:

- (a) Neighborhood conservation district means an area with specifically defined geographic boundaries, whose value is related to and established by association with the close proximity of structures that have certain identifiable attributes embodied in use, urban design or architecture, and the surrounding geographical features which complement the existing uses. The term Neighborhood Conservation District is separate and distinct from the term City Historic District, in that one district or neighborhood cannot qualify for both designations.

(b) Streetscapes pertain to all components that are visible from a public right of way, including, but not limited to:

- (1) street arrangements, patterns and widths;
- (2) property shapes, sizes and roof forms; and
- (3) housing type, size and setback.

(c) In public view means the front or primary facade(s) of a structure that is (are) visible from an adjacent public way or street, or in the case of a corner property, both facades facing the primary right-of-way.

(d) Character defining features are any architectural, built or landscaped elements which serve to identify a particular streetscape or viewshed and set it apart from the surrounding streets, views or areas; that which makes a building, street or view unique.

48-422. Purpose of Neighborhood Conservation Districts.

(a) The purpose of this subdivision is to provide for the creation of a zoning overlay category which recognizes the historic, architectural and cultural resources and merits of areas within the city, which shall be designated as neighborhood conservation districts. This new category will be identified on the Supplemental Building Zone Map.

(b) Neighborhood conservation district(s) are in addition to, but separate and distinct from, the original city historic districts.

(c) Within neighborhood conservation districts, review procedures shall be mandated so as to:

- (1) identify and ensure the conservation of historic materials which serve to visually distinguish the district from the areas that surround it;
- (2) ensure sympathetic treatment regarding the built environment's original design, intent and scope (including but not limited to site planning, site design and landscaping); and
- (3) preserve significant natural landscape features and man-made streetscapes.

(d) Neighborhood conservation districts may be designated where traditional city historic district protection is not feasible due to:

- (1) lack of community support;
- (2) lack of property owner support;
- (3) lack of political support; or
- (4) a built environment whose resources do not meet the qualification criteria of either the National Register of Historic Places or City Historic Districts.

48-423. Designation of Neighborhood Conservation Districts.

The City Council may from time-to-time designate certain areas in the City as Neighborhood Conservation Districts and may define and amend their boundaries. Such areas shall be submitted as proposed Neighborhood Conservation Districts to City Council by the Planning Commission and Design Review and Preservation Commission. Such proposals will be based on an inventory of the buildings and properties within the proposed boundaries of the district, and an analysis by the Department of Planning of the appropriateness for designation as defined in this subdivision.

48-424. Application Process/Certificate of Appropriateness.

(a) Any property owner or resident wishing to perform any work, including but not limited to, alterations, changes, additions or removal of character defining features which will affect the exterior of a property or identified streetscape as defined in section 421 (c) shall be required to apply to the Department of Licenses and Inspections to obtain a building permit. The application shall be referred to the Department of Planning for assessment of the proposed work and determination of the appropriate review procedure required by section 425 of this chapter.

(b) Items that do not require a building permit but which are subject to review by virtue of their inclusion in the district include:

- (1) exterior doors and storm doors;
- (2) windows and storm windows;
- (3) painting or otherwise covering of historically unpainted masonry;
and
- (4) fencing that is within the front yard, and also the side yard facing the right-of-way if the property occupies a corner lot.

(c) The application shall include the following:

- (1) a complete written or typed explanation of the proposed project, with all work elements clearly outlined;
- (2) a complete set of photographs showing the property and the adjacent streetscape;
- (3) manufacturer's and/or vendor's specifications for any materials, building element or chemical to be used in the proposed project;
- (4) any other information deemed necessary by either the Department of Planning or the Department of Licenses and Inspections, including but not limited to information enumerated in section 417 of this chapter; and
- (5) the legal filing date, which shall be the date when the applicant has completed the submission of all required materials.

48-425. Review Procedures.

(a) Planning Department Review Procedures/Pre-Determined Categories of Review:

- (1) If the Planning Department determines that the proposed changes are consistent with the Neighborhood Conservation District design guidelines, a Certificate of Appropriateness for the proposed work will be issued. The applicant shall present the certificate to the Department of Licenses and Inspections in order to complete the application for a

Building Permit, contingent upon compliance with all applicable building code requirements. In the event that a Building Permit is not necessary, the Certificate of Appropriateness shall serve as notice to proceed. The certificate shall be visibly posted on the job site for the duration of the work.

(2) Items automatically reviewed by Planning Department staff:

- i. Maintenance. Regular repair and upkeep of a property within a neighborhood conservation district, provided the proposed project does not involve the removal of historic materials, either decorative or functional. Maintenance, for the purposes of this section, shall not include any work which creates a change in the fenestration of façade openings viewable from the public right of way, such as windows, doors or garage doors, including changes in the historic opening of a window frame, door frame or garage door frame by bricking or blocking in, down, or up to accommodate modern materials and modification to historic materials.
- ii. Façade Changes. Any change in appearance of the façade(s) facing the principal right of way and which affect less than 25% of the façade.
- iii. Rehabilitation Projects. Projects that would introduce compatible materials, which restore or otherwise complement and remain consistent with the historic character and fabric of the neighborhood.

(3) Appeal of Planning Department Review. Any decision rendered by the Planning Department which is not acceptable to the applicant may be appealed to the Wilmington Design Review and Preservation Commission. A written request must be received by the Department of Planning from the applicant, along with all necessary documentation for the request within 10 days of the date of the decision rendered by the Department of Planning. If such an appeal is requested, the case will be placed on the next regularly scheduled meeting agenda of the Design Review and Preservation Commission. Documentation for such an appeal shall be the same as that set forth in section 48-417. The timetable for such an appeal shall be as set forth in section 48-416.

(b) Items Requiring Design Review and Preservation Commission (DRPC) Review include:

- (1) all work not otherwise defined in section 425(a)(2) of this chapter.
- (2) items automatically requiring DRPC review, including:
 - i. all new stand-alone construction;
 - ii. any addition visible from the principal right of way which increases the primary building's footprint;
 - iii. those items that affect more than twenty-five percent of the appearance of the façade in public view;
 - iv. those items that alter the rhythm or fenestration of the façade;

v. those items that change the footprint of the main building or structure, either by introducing new construction or through demolition, which are visible from the primary right of way.

(3) No building permit for the proposed work will be issued until after the DRPC has made a determination in such a case. The work may be revised by the applicant to be consistent with the Planning Department's recommendations pertaining to section 425(a)(2) of this chapter prior to DRPC review.

(4) All demolition permits shall be reviewed by the Department of Planning in accordance with section 48-36.

(5) After a case has been referred to the Design Review and Preservation Commission, it will follow the procedure and timetable outlined in section 416 of this chapter.

48-426. Appeal Process.

(a) If a case is reviewed by the Wilmington Design Review and Preservation Commission and the applicant is not satisfied with the decision, the applicant may appeal to the Commissioner of the Department of Licenses and Inspections. The request for an appeal must be in writing and filed with the Commissioner of the Department of Licenses and Inspections, with a copy to the DRPC Coordinator in the Department of Planning, within ten (10) business days of the dispatch of the DRPC decision to the applicant.

(b) Documentation for the appeal must include:

(1) a full set of architectural plans/elevations for the proposed project;

(2) a full set of photographs showing the individual building impacted and the surrounding streetscape which would be affected by the work;

(3) a written statement explaining the proposed work and why it would not have a detrimental effect on the building and surrounding district;

(4) any additional supporting documentation germane to the appeal.

(c) The Commissioner of the Department of Licenses and Inspections shall review the documentation listed above, and make a decision within ten (10) business days of receipt of all required documents.

(d) Appeals of a decision of the Commissioner of the Department of Licenses and Inspections shall be referred to the Zoning Board of Adjustment, and shall follow the provisions of Article II, Division 3 of Chapter 48. Appeals may be brought either by the applicant or by the Design Review and Preservation Commission in the event that the Commissioner of Licenses and Inspections reverses a decision of the Design Review and Preservation Commission. Documentation required for the appeal is set forth in section 420 (a) and (b) of this chapter.

48-427. Establishment of Design Guidelines.

Design Guidelines shall be established and adopted by the Design Review and Preservation Commission, and amended as necessary.

SECTION 3. This Ordinance shall become effective immediately upon its date of passage by the City Council and approval by the Mayor.

First Reading.....
Second Reading.....
Third Reading.....

May 20, 2004
May 20, 2004
June 17, 2004

Passed by City Council,

President of City Council

Attest: _____
City Clerk

Approved as to form this
3rd day of June, 2004

Assistant City Solicitor



Neighborhood Conservation District Design Guidelines

The majority of the City of Wilmington's housing stock dates from the late nineteenth and early twentieth centuries and, in general, retains much of its original design and integrity. According to a recent report by the Lewin Group, over 15% of the housing stock within New Castle County was built before 1939, and the City of Wilmington accounted for most of these pre-1939 units.

Like City Historic Districts, Neighborhood Conservation District status is a form of overlay zoning which adds a level of protection to selected neighborhoods. These guidelines will help to ensure sensible and harmonious design in terms of massing, fenestration and scale for cases involving new construction or developments that include infill construction within established neighborhoods. In terms of proposed exterior rehabilitation or maintenance of existing structures, the guidelines will provide property owners with solutions that respect the traditional design and intention of the built and natural environments.

In addition to these guidelines, development is also subject to the requirements in the Zoning Code as they relate to building height, lot size, setbacks and parking.

EXISTING BUILDINGS/STREETSCAPES

Facade Treatments

Neighborhood Conservation Districts seek to preserve the principle façade(s) of existing structures visible from the public right of way or street. The crucial aspects involve the appearance of the façade(s) and the fenestration (e.g., placement of openings) of windows, doors and related trim.

1) Materials

a) Original Materials

1) Brick or stone that was originally unpainted should remain so, since irreversible damage can result from attempts to remove paint by methods such as sandblasting. Painting or covering original brick or stone is discouraged.

2) Retain significant character defining wooden or metal facade elements. Examples include cornice brackets, gingerbread, decorative trim elements, ornamental barge/fascia board, and soffit.

b) Maintenance

1) The United States Department of the Interior's publication, Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings indicates that light detergents and water are the only acceptable methods for cleaning masonry. However, certain chemical stripping agents are safe to use on masonry surfaces within controlled environments, and are acceptable to use. Upon request, the Delaware State Historic Preservation Office [(302) 739-5685] or the City of Wilmington Preservation Planner [(302) 576-3100] can provide details as to these

cleaning agents.

2) Sandblasting and other methods that utilize harsh abrasives/chemicals, or contents under high pressure are not permitted.

3) When repointing masonry, every effort must be made to duplicate the original strength and color of the original mortar, so as not to damage the brick or stone face due to spalling and to help the repair blend in with the original work.

2) Roofs

a) Existing roofs that are visible from the public right of way should retain their profile as it relates to shape and slope. Appropriate roof treatments in Neighborhood Conservation Districts include dimensional shingles, real or synthetic slate shingles, wooden shakes or standing seam metal.

b) Historic systems that are integral to the roof, such as flashing, and leader/conductor boxes, built-in gutters, downspouts or snow guards, should be retained and maintained on a regular basis, as these types of systems often were crafted of heavy gauge, resilient materials such as copper or zinc and generally outperform modern materials, as well as retain a patina and contribute to the appearance of the structure.

c) Buildings that incorporate a sloped roof, such as a gable and/or hipped roof, often feature decorative elements that should be retained, including but not limited to, roof cresting, ridge caps and finials.

3) Doors

a) Replacement doors should be sized to fit in the existing opening. The opening should not be altered so as to accept either a smaller door (e.g., filling in excess space with material such as lumber, bricks or cement blocks) or to facilitate a larger door or doors (e.g., knocking out part of the surrounding wall and reframing the opening).

4) Windows

a) Window openings should not be altered to accommodate replacement windows (e.g., "blocking down" or "blocking in" the opening).

b) Replacement windows should relate to and be appropriate for the age and architectural style of the structure.

c) In situations where original windows remain, every effort should be made to repair such windows, rather than replace them outright. Storm windows, whether triple track exterior storm windows or interior storm windows, are allowed to help insulate the original, single-paned windows and contribute to the building's energy efficiency.

5) Porches

a) Character defining details, such as decorative wooden or metal trim, turned wooden or cast iron columns, sections of the balustrade (e.g., spindles, newel posts and hand/top railings), and skirting should

be retained. Every effort should be made to repair damaged portions of original materials.

b) Porch roofs and their original character defining features, such as shed roofs commonly found on rowhouses or gabled roofs specified on semi-detached twins or detached homes, should be retained.

c) Original porch flooring or ceiling materials, such as tongue and groove planks, also known as center matched strip flooring (also used as a ceiling material), should be preserved and retained wherever possible, or replaced in kind.

NEW CONSTRUCTION/ADDITIONS

Building Materials, Proportion and Profile

Materials to be used for repairs to, or new additions to, existing buildings should harmonize with existing materials. Appropriate wall materials shall include, but not be limited to, brick, stone, stucco, natural wood or cementitious siding. Any side, front or rear addition that is visible from the primary street, and which increases the footprint of the main building, would be reviewed.

1) Roofs:

a) For new construction, the principal roofline should be consistent with the adjacent streetscape.

b) New additions must respect the existing building's roof profile and, if visible from the primary street, be in harmony with it in terms of form, texture and color.

c) Appropriate roofing materials, when visible from the public right of way, should consist of dimensional shingles, real or artificial slate, wooden shakes or standing seam metal.

2) Doors:

a) For new construction, principal facades facing the street shall contain an entry door.

1) For corner properties, either façade facing the street can qualify as 'primary,' and thus be eligible for placement of the entry door.

3) Porches:

a) Residential new construction should incorporate a front or side porch, if a porch exists on the immediately adjacent properties within the block face.

4) Windows:

a) Primary windows should be harmonious with adjacent properties and generally reflect vertical proportions (e.g., taller than they are wide). Accessory or ornamental windows such as gable windows, sidelights and transom windows are allowed.

5) Utilities:

a) Utilities, such as gas and electric meters, should not be placed on or along the primary façade of new residential or commercial structures, when possible.

b) Where visibility of utilities is an issue, they should be:

1) painted so as to blend into the background.

2) screened with vegetation so as to minimize the impact on the facade.

3) placed at or near ground level.

c) HVAC equipment should be placed on or along the rear façade or rear half of secondary facades and be screened from view by vegetation or fencing as referenced below.

d) Cable television accessories, such as dishes and antennae, should be located on the rear half of the side facades or rear half of the roof, out of plain view where possible.

6) Fencing:

a) All matters regarding fencing to be located in the front yard, or front and side yards of a corner property, shall fall under the jurisdiction of the amended portion of Chapter 48 of the Zoning Code, particularly § 48-424 (a)(4).

b) The fencing policy, adopted by the Design Review & Preservation Commission in January of 2003, will apply to the review of applications for fencing.

7) Topography:

a) The site for new construction which is within view of the public right of way shall be in harmony with existing topographical features, especially berms, historical retaining walls and rolling terrain typical of the neighborhood.

Appendix C
MOR District Guidelines

Mixed-Office Residential Design Guidelines:
A DESIGN GUIDE FOR DEVELOPERS, PROPERTY OWNERS, & CITIZENS



City of Urbana
 Community Development Services Department
 Adopted on September 7, 2004
 Ordinance No. 2004-08-105

Intent of the Mixed-Office Residential Zoning District:

“The M.O.R., Mixed-Office Residential Zoning District is intended to encourage a mixture of residential, office and small-scale business land uses that are limited in scale and intensity and designed and constructed to be compatible with existing structures in the district. The district is intended to encourage the adaptive re-use of existing older structures through incentives that will extend the useful life of such structures. New construction shall be designed and constructed in a manner that is consistent with the character of the district. The land uses permitted and the development regulations required in the M.O.R. District are intended to protect nearby residential uses by limiting the scale and intensity of the uses and buildings that may locate in this district. The M.O.R. District is appropriate for mixed uses on small sites which need a careful evaluation of use-to-use compatibility so that the stability and value of surrounding properties are best protected”.

--Urbana Zoning Ordinance, Article IV, Section 2. I.

Mixed-Office Residential Design Guidelines

CITY OF URBANA

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Acknowledgements

September 7, 2004

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I. Introduction

Purpose

The purpose of this guide is to provide design criteria for new business and residential development within the Mixed-Office Residential (MOR) Zoning District. The design guidelines and suggestions illustrated in this document will be used primarily by the Development Review Board and City Staff to review proposals within the MOR District.

This guidebook has been written in this format to allow property owners to understand how compatible design can be achieved within the MOR District. It is written in a format that includes a range of design considerations that are generally equal in importance but are suggestively ranked using language such as: (strongly encouraged, encouraged, discouraged, and strongly discouraged) to allow property owners to understand that some design guidelines may be considered more important than others in terms of promoting compatible design. The guidelines are not intended to restrict innovation, imagination or variety of design. They are intended to promote design compatibility of new structures, building additions, and remodels with the existing buildings found in the district. The guidelines address the quality of development recognizing that architectural design is ultimately formed by countless individual creative decisions.

Where Design Guidelines Apply

These guidelines are to be used to review the design of proposed projects located in the Mixed-Office Residential Zoning District. The guidelines consist of design considerations intended to promote the goals defined by the intent of the zoning district. Project design approvals are based on both the site plan review and the design guidelines illustrated in this document.

Building Code and Zoning Ordinances

The requirements of the Urbana Building Safety Code and the Zoning Ordinance must be met in addition to the MOR Design Guidelines. For more information about these development regulations please contact the Community Development Services Department at 384-2440 or see our Website at www.city.urbana.il.us to view the complete Urbana Zoning Ordinance.

Locally Designated Historic Structures

Local Historic Landmarks and properties within Local Historic Districts shall continue to comply with Article XII: The Historic Preservation Ordinance of the Urbana Zoning Ordinance.

II. (MOR) Mixed-Office Residential Background

(MOR) Mixed-Office Residential Background

The Mixed-Office Residential Zoning District was created as a result of the recommendations of the 1990 Downtown to Campus Plan. The Downtown to Campus Plan consisted of an area-wide zoning study for much of the West Urbana and campus neighborhoods. It was concluded in the plan that a special office/residential zoning district was needed for much of the Green Street and Elm Street corridors. The purpose of the new district would be to allow a variety of residential, office, and commercial uses in the district but to encourage the adaptive re-use of the existing structures. The plan stressed that as an incentive to adaptively re-use existing structures, a wider variety of uses should be permitted. It was envisioned that Green Street and Elm Street could contain single-family and small-scale multi-family residential development along with small-scale boutique shops and offices intermixed and where buildings were designed with a residential character.

The MOR Zoning District was adopted in 1991 and approximately 90 properties were rezoned to the new district. The Urbana Zoning Ordinance was amended to include provisions for the new district including a listing of uses allowed in the district as well as development regulations. A Development Review Board was established to review development proposals in the district. The membership of the Board consisted of city staff and contained criteria for reviewing proposals. The Development Review Board was specifically

prohibited from considering the architectural design and character of proposals, and was to focus on issues related to building scale and orientation and the overall site design. From 1991 to 2002 there was relatively little development activity in the M.O.R. district. Approvals were granted for three new apartment buildings and a handful of remodels including the Lindley House Bed and Breakfast and Timothy John's Studio. From 1997 to 2002 there was no activity in the district until three separate requests were made to review new apartment developments in 2003. Structures were demolished at 508 and 510 West Green Street for construction of a church parking lot, and 605, 611, 701 West Green were also demolished for new apartment buildings. The demolitions of homes for new multi-family structures and parking lots generated concern from nearby residents and called into question the effectiveness of the intent of the district which was to foster adaptive re-use and encourage a mix of small scale uses. A structure at 302 West Green Street has been demolished in 2004 and the lot currently lies vacant.

In 2003 the City Council directed staff to study changes to the district. In particular, it was requested that there be procedural changes to the Development Review Board and that architectural design be permitted to be considered when evaluating proposals. In November 2003 provisions were made to change the membership of the Development Review Board to consist of appointed individuals rather than city staff. The number of members on the Board was also increased from five to seven. Also, provisions for design guidelines were adopted for the Development Review Board to use when reviewing proposals.

One of the overriding concerns with the three multi-family development proposals in 2003 was that the district does not seem to be attracting development other than multi-family residential. Along with the amendments to the regulations for the district, consideration of alternative incentive programs was encouraged. These could be implemented in order to create a better market for small-scale business development to meet the goals and intent of the district.

It is clear that since the MOR district was initially created there have been relatively few projects that have incorporated the adaptive re-use of the existing structures. As a component of the revised procedures and requirements in the district, a streamlined review process has been created for projects incorporating adaptive re-use.

Proposals for a change of use, building addition, or exterior remodeling that incorporate the adaptive re-use of an existing structure within the district shall not require review by the DRB. Adaptive re-use proposals shall comply with the requirements of the Urbana Zoning Ordinance although the Zoning Administrator may authorize adjustments to existing codes and regulations as specified in Section V-8.D. Adaptive re-use proposals shall demonstrate general consistency with the Design Guidelines as determined by the Zoning Administrator. In cases where proposed additions and/or remodeling efforts are so extensive as to result in substantial change to the appearance and/or scale of an existing building, the Zoning Administrator shall make this determination and shall then request Development Review Board review and approval of the project.

III. (DRB) Development Review Board Procedure

The (DRB) Development Review Board

The (DRB) Development Review Board is a mayor-appointed board that holds public hearings and reviews applications for development within the MOR, Mixed-Office Residential Zoning District. The DRB may require applicants to submit plans, drawings, specifications and other information as may be necessary to make decisions in addition to the application requirements specified in XI-12.G. of the Zoning Ordinance.

Site Plan Review Criteria

Site plans for new construction that do not incorporate the adaptive re-use of existing structures must demonstrate conformance with the land use and development standards of the Urbana Zoning Ordinance. In addition, site plans (including elevations and floor plans) shall be reviewed and considered by the Development Review Board according to the criteria listed below:

Compatibility with Surrounding Neighborhood

Proposals shall demonstrate consistency with the intent of the MOR, Mixed-Office Residential Zoning District as stated in Section IV-2-I. In reviewing proposals the Development Review Board shall consider the effects of the proposed structure(s) and uses on adjacent properties and the surrounding

IV. Design Guidelines

neighborhood. The Board shall consider building location, orientation, setbacks, scale, bulk, massing, and architectural design.

Parking and Access

Proposals shall demonstrate that required parking areas are provided in accordance with Article VIII of the Urbana Subdivision Ordinance and that parking areas and access drives are designed to move traffic conveniently and safely in a manner that minimizes traffic conflicts, noise and visual impacts, while minimizing the area of asphalt or concrete. Proposals shall demonstrate the safe and convenient movement of handicapped persons and that the location and design of handicapped parking is in conformance with the requirements of the State of Illinois. Parking areas shall be screened from adjacent residential uses.

Screening and Landscaping

Proposals shall demonstrate the preservation of existing natural features where practical. The Development Review Board shall consider the effects that the proposal may have on the vegetative characteristics of the area and may require landscaping measures to mitigate any potential loss of character. Proposals shall also demonstrate compliance with all landscape and screening requirements identified in the Urbana Zoning Ordinance. The Development Review Board shall consider landscape and screening plans and their ability to effectively screen adjacent properties from possible negative influences that may be created by the proposed use. Retention of street trees along the Green and Elm Street corridors shall be encouraged.

Design & Site Review

Proposals shall address the provisions for site details including exterior trash dumpsters, storage areas, loading areas, exterior lighting and signs. The Development Review Board shall determine if the site details will not negatively impact adjacent properties and the character of the neighborhood. An important component of this review is the consideration of the architectural appearance relating to: Building Orientation, Openings, Outdoor Living Space, Building Materials, Parking areas, Landscaping, and Commercial Site Design as outlined in this Design Guide. Proposals shall demonstrate conformance with the design guidelines and with the goals for the MOR, Mixed-Office Residential Zoning District as specified in the City of Urbana Zoning Ordinance.

The Urbana Zoning Ordinance includes additional design criteria that are mandatory and required as specified in Section XI-12.J. These requirements include that the front entrance must face the street, building walls facing the street must contain window openings, and that parking areas shall be located behind the principal structure. Finally, the Urbana Zoning Ordinance prohibits parking underneath any principal structure within the M.O.R., Mixed-Office Residential Zoning District.

THE "FACADE ZONE"

The **Facade Zone** is important to the character of a site and includes not only the vertical wall of the building with its architectural qualities but also includes other elements of a site within the areas that the wall faces that are **visible from the public street** such as outbuildings, windows, doors, street walls, signage and various other site details. It is important that site details in the facade zone are compatible with other buildings on the block face as well as with those buildings located directly across the street. The guidelines offer design criteria to be considered for facade zones.

The district is composed of a grid system of streets creating two types of lots: corner lots and interior lots. Corner lots are located at the intersection of streets and have two street facing facade zones. The majority of lots are interior lots that have one facade zone facing the street.

FACADE ZONE - Design Guidelines

Strongly Encouraged

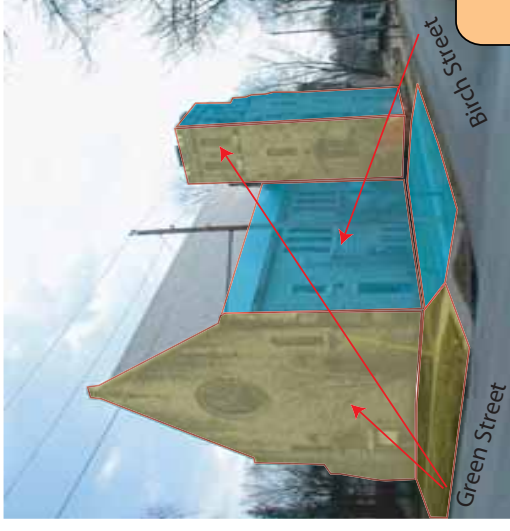
- New building additions that complement the architectural style of the main structure.

Strongly Discouraged

- The location of mechanical equipment (such as air compressors, mechanical pumps water softeners, utility meters and the like) in the facade zone.

Note: The Urbana Zoning Ordinance requires that facades with street frontage contain window openings and not be blank. It is also required that parking be located behind the principal structure and not in the facade zone. For further details on these requirements please consult Section XI-12.J of the Urbana Zoning Ordinance.

Corner Lot Example



Facade Zone 1
Facing from Green Street

Facade Zone 2
Facing from Birch Street

The design guidelines concentrate primarily on the facade zones because they are views from the public space, namely the sidewalk and streets.

Interior Lot Example



Facade Zone 1
Facing from Green Street

Interior Lots generally have one primary Facade Zone as depicted above.

BUILDING ORIENTATION & PATTERNS

Each block in the district displays predominant patterns. These patterns include lot sizes, setbacks, and building orientation. Projects within the district should be compatible with the patterns of building placement found on the block. Relative to building orientation, the Urbana Zoning Ordinance (Section XI-12.J) requires the front entrance of a building to be facing the street and if on a corner, the more major street frontage.

Observation of a block through both aerial and streetscape views is important when identifying patterns on a block. The placement of a building should not drastically change or cause a visual disruption along the block.

BUILDING ORIENTATION & PATTERNS - Design Guidelines

Strongly Encouraged

- Building placement and general orientation on a site that is compatible with other structures on the block.

Encouraged

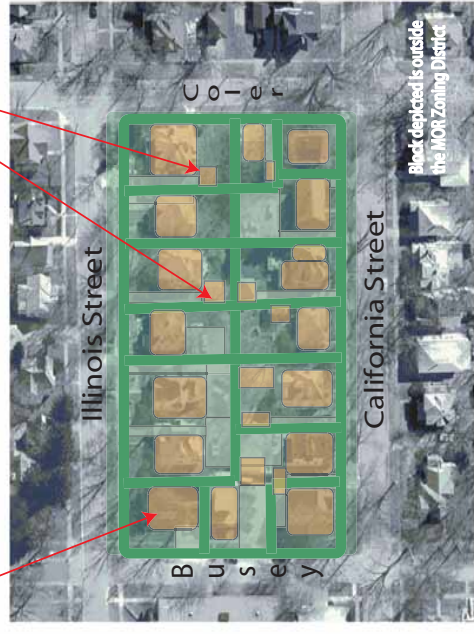
- New construction projects, including additions, that incorporate common patterns and architectural characteristics found throughout in the district. (e.g. porches, roof type, openings, etc.)
- Use of architectural detailing and landscaping to help new construction "blend in" with the block.

Aerial View Example

Buildings are aligned to the street with front porches

Homes are generally placed in the middle of the lot, with garages in the rear

Parking areas are located at the rear



Streetscape View Example



Examples of Relevant Patterns

| | |
|----------------------|----------------------|
| Building Orientation | Outdoor Living Space |
| Massing | Materials |
| Openings | Landscaping |

MASSING & SCALE

Massing is the three dimensional bulk of a structure: height, width, and depth. *Scale* is the perceived relative height and bulk of a building relative to that of neighboring buildings. Proper scale, proportion and details are essential when blending any building into the MOR District. When a new development or building addition is larger in height or volume than the surrounding structures, the building mass should be varied through changes in the wall plane, building height, or roofline to reduce the perception of bulk and encourage compatibility. The architectural design should be such that it does not cause a visual disruption along the entire block.

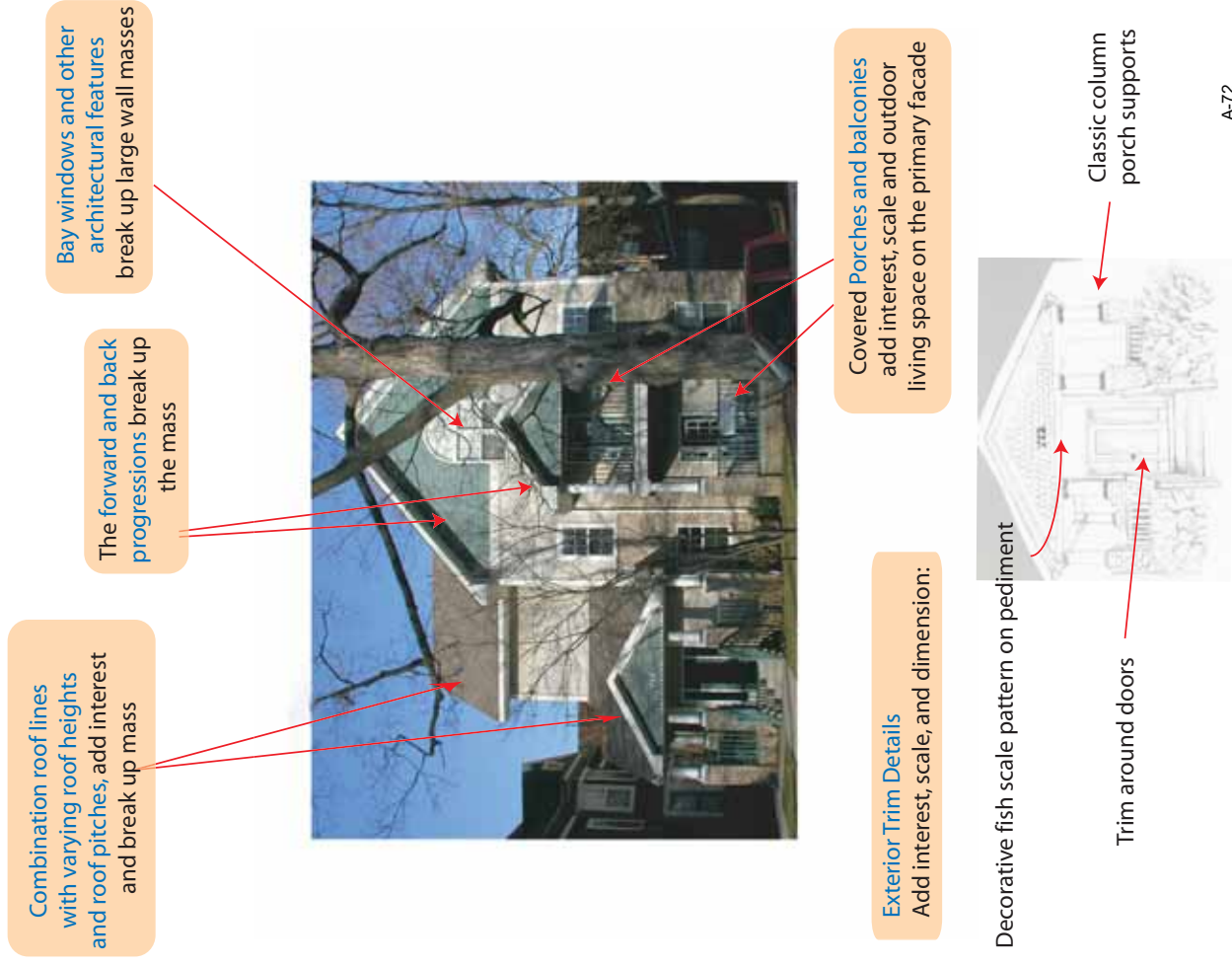
MASSING & SCALE- Design Guidelines

Strongly Encouraged

- The "height to width ratio" of a structure is compatible with that of other structures on the block face. For example, if existing structures on a block face have a height to width ratios of 2 : 1, then a height to width ratio of 1 : 3 for new construction may not be appropriate.

Encouraged

- Use of various decorative details and exterior materials to add interest, scale, and dimension to a building.
- Height and rooflines on new construction that are compatible with other buildings found on the block face.
- A combination of roof lines with varying roof heights and pitches used to break up the mass of a structure.
- Roof pitch and shape on new construction compatible with other forms found in the district.



OPENINGS

Openings refer to the windows and doors on a structure. Openings and their arrangement are important to a structure's visual aesthetic. Materials, construction, and detailing of the openings is also important to the style of a building. Proposals within the district should be cognizant of the rhythm and patterns of openings on the facade. Height to width ratios for windows should encourage compatibility with the building architecture style as well as with the other styles found throughout the district. The Urbana Zoning Ordinance requires window openings on facades facing the street (see Section XI-12.J of the Urbana Zoning Ordinance). The following design criteria further address openings in the M.O.R. district:

OPENINGS - Design Guidelines

Strongly Encouraged

- An adequate amount of openings on a facade.
- Large wall expanses on a facade that are interrupted by windows.
- Openings that reflect the building's architectural style.

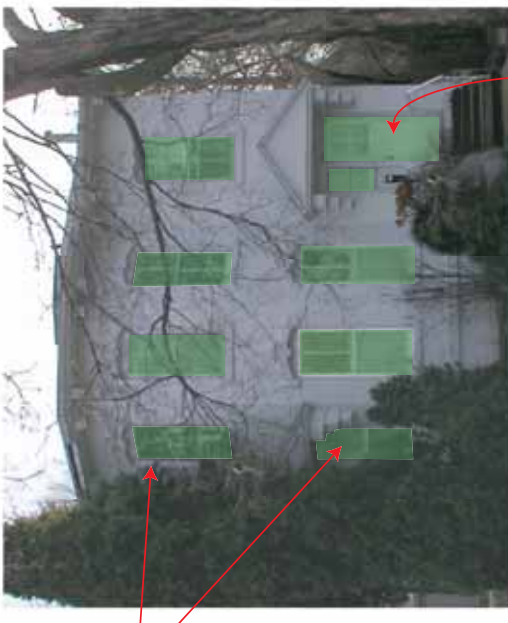
Encouraged

- Openings that are in proportion to others on the facade and are similar in size and scale.
- A consistent rhythm of openings on the facade.
- True divided-lite windows.

Discouraged

- Sliding patio doors in the facade zones.

Recommended

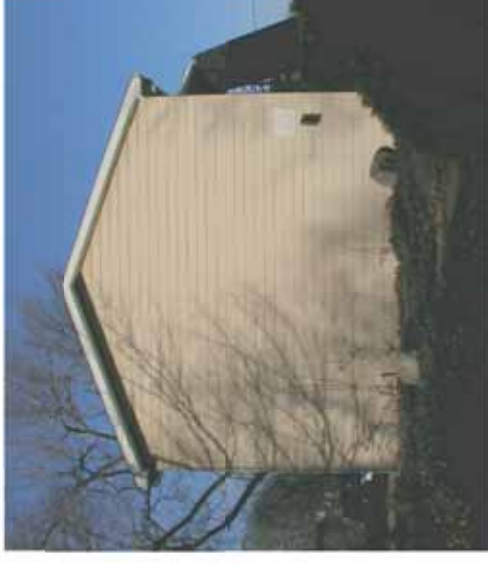


Multiple openings on facade

Openings are to scale and proportion with each other and display a consistent pattern and rhythm

Main entry in the facade zone

Not Recommended



No openings on facade facing the street (prohibited in Urbana Zoning Ordinance Section XI-12.J)

Facade consists of a singular flat plane

Facade incompatible with other neighboring properties

OUTDOOR LIVING SPACE: Balconies, Porches, & Patios

Porches are outdoor spaces that are elevated or located above grade and usually are partially or fully covered by a roof. Front porches help provide a transition between the public street and the private use of a building. **Balconies** are outdoor living spaces located above the first floor of a structure. **Patios** are defined outdoor living space located at grade level and do not have a roof.

Porches, balconies, patios, and similar structures that are visible from the street (in the facade zone) should be designed with consideration to their overall compatibility with the design of the building, their "usability," and with their general compatibility with other properties on the block.

OUTDOOR LIVING SPACE - Design Guidelines

Strongly Encouraged

- Front porches and balconies with rooflines that are compatible with the main roof of the structure.
- Outdoor living spaces that use a variety of styles and materials in order to complement the overall composition of the building.

Encouraged

- Buildings on corner lots with porches and/or stoops located on both facades.
- Porches on new residential construction. Flat porch roofs that serve as covered balconies for the second floor.
- Balconies on multi-family residences located above the first floor only.

Discouraged

- Terrace-like patios located in the facade zone (for residential uses).

Strongly Discouraged

- Balconies directly abutting single-family residences.



Not Recommended
Patios on first level are often inappropriate
Mechanical equipment limits usable space
Sliding patio doors are discouraged



Recommended
Roof lines and pitch correspond to main roof



Recommended
Porch design should be functional and should relate to the overall structure

MATERIALS

Properties in the MOR district have been built with many types of exterior materials depending on the building date of each structure. The result is a district containing a diversity of architectural styles and building materials. Over time various exterior materials have stood the test of time, while others that may have been used as less expensive substitutes have proven to be less durable than previously anticipated. In some cases, synthetic siding installed incorrectly over original siding accelerated the deterioration of the original structure. Ultimately, the choice of exterior material should be made based on both durability and aesthetics.

MATERIALS - Design Guidelines

Strongly Encouraged

- Long-lasting and durable exterior materials such as brick and wood clapboard.
- Exterior treatment or siding that protects the integrity of the structure and provides an enhanced visual aesthetic to the block.
- Recognition of the diversity of materials used throughout the district and the importance of material quality.

Encouraged

- Roof materials that are compatible with those found within the district. In the case of new additions, roof materials that complement those found on the main structure.

Examples of exterior siding materials used in the MOR



Stucco



Fieldstone



Brick Veneer



Quarry Faced Stone



Wood Lap Siding



Wood Sawn Siding



Flagstone Veneer



Painted Brick

Examples of roofing materials



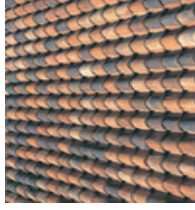
Asphalt Shingles



Slate



Shake Shingles



Clay tile

PARKING AREAS

The MOR district retains the scale and patterns of a traditional neighborhood in terms of the grid-street layout and public alleys. Vehicular access onto properties must be appropriately incorporated into the site design. Although parking areas are integral to a site, softening their visual impact to adjacent properties and from the public street is particularly important in the MOR.

PARKING AREAS - Design Guidelines

Strongly Encouraged

- Utilization of existing alleyways for the purpose of access to parking areas.
- Fencing and other screening elements that are architecturally compatible with the principal building in terms of material quality and detail.

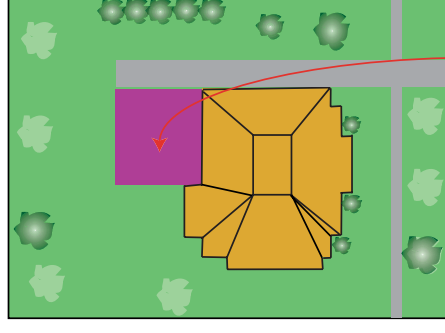
Encouraged

- Screening to reduce visual impact from adjacent properties.
- Use of hedges, wood fences or masonry walls used to screen parking areas from adjacent properties.

Note:

The Urbana Zoning Ordinance prohibits parking below a principal structure within the M.O.R., Mixed-Office Residential Zoning District. The Urbana Zoning Ordinance also requires parking to be located behind the principal structure and not in the facade zone. Consult Section XI-12.J of the Urbana Zoning Ordinance for further details.

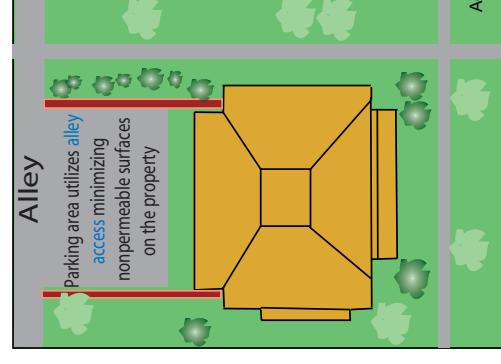
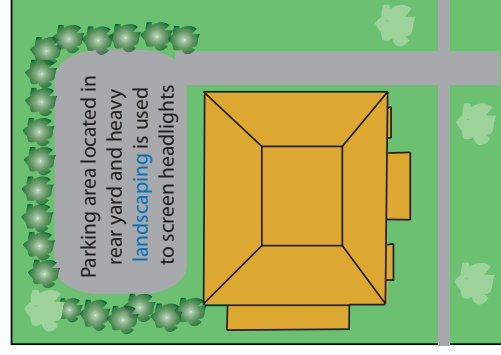
Recommended Parking Configuration Examples



Utilize rear loaded garages to reduce bulk at street and visibility from the facade zone



Parking not visible in the facade zone



LANDSCAPING

Landscaping is an important design element when blending any building or parking area into the neighborhood. Landscaping can soften the mass of a building as well as accent its features. Preservation of mature trees, adding visual interest to individual properties, and providing effective methods of landscaping screening are important goals within the district. It is important that the City Arborist be used as an informational resource to analyze existing trees and to determine the appropriate size and species of future tree plantings.

LANDSCAPING - Design Guidelines

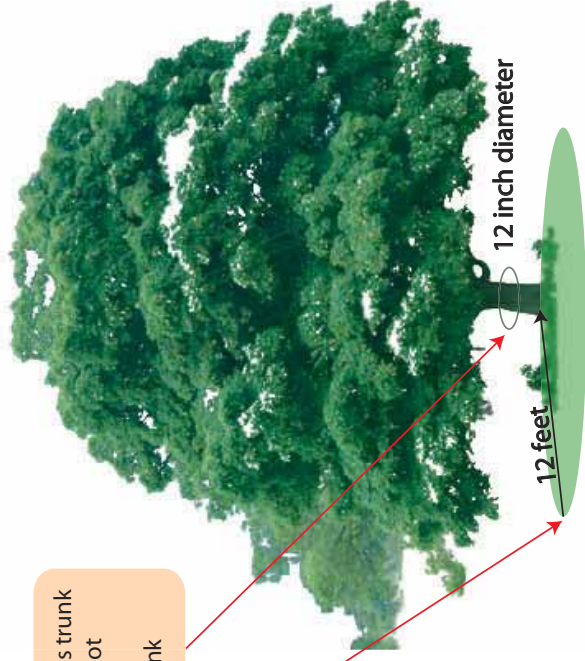
Strongly Encouraged

- Retention of mature trees on private property and within the parkways and other City right-of-way areas. (Green and Elm Street corridors are particularly important)

Encouraged

- New tree plantings on private and public property to replenish the urban canopy.
- Protect mature trees from root damage during construction, both on the subject property and on any adjacent properties. (see illustration)
- Use of evergreens, dense deciduous shrubs, masonry walls and berms for screening.
- Design landscaping to ensure safe pedestrian and automobile traffic circulation on and off private property.

If the diameter of the tree's trunk is 12 inches, protect the root zone for at least a 12 foot radius around the tree trunk



Landscaping and tree plantings beautify properties and are strongly encouraged

New tree plantings on private and public property will continue to replenish the urban canopy in the neighborhood



Commercial Site Design

The design of commercial uses should consider all of the previous Design Guideline sections of this handbook. This section is tailored to address specific design issues related to commercial development. The goal of commercial site design is to encourage small-scale businesses that are compatible with the residential character of the district. Compatibility can be achieved through careful design of facades, building scale, and by designing commercial sites to be pedestrian-oriented. A mix of uses is encouraged in order to create vitality and character.

COMMERCIAL - Design Guidelines

Strongly Encouraged

- Adaptive reuse or renovation of existing buildings.
- New mixed-use commercial developments with upper-story residential.
- New structures with a residential design.
- Business signs that are pedestrian oriented and visible to traffic. Signs that complement the design of the main structure and do not obscure important features.

Encouraged

- Service delivery, and trash located at the rear of a building.
- Utilize shared access and parking areas.
- Front porches and landscaped terraces that serve as important commercial amenities.

Discouraged

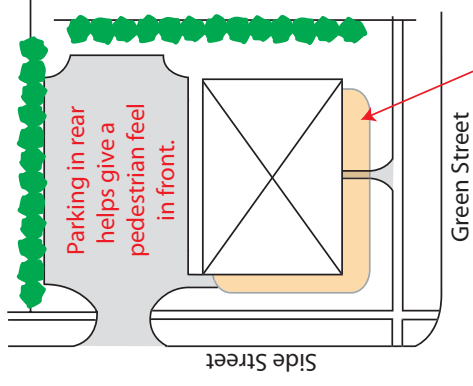
- Multiple curb cuts and vehicular entrances.



Business signs should complement the main structure and add to the character of the neighborhood



Thoughtful design and use of fencing can help a commercial business define its outdoor space and separate it from other uses



Porches can provide outdoor gathering space for a business

New Commercial Development

Building design to have a residential character.

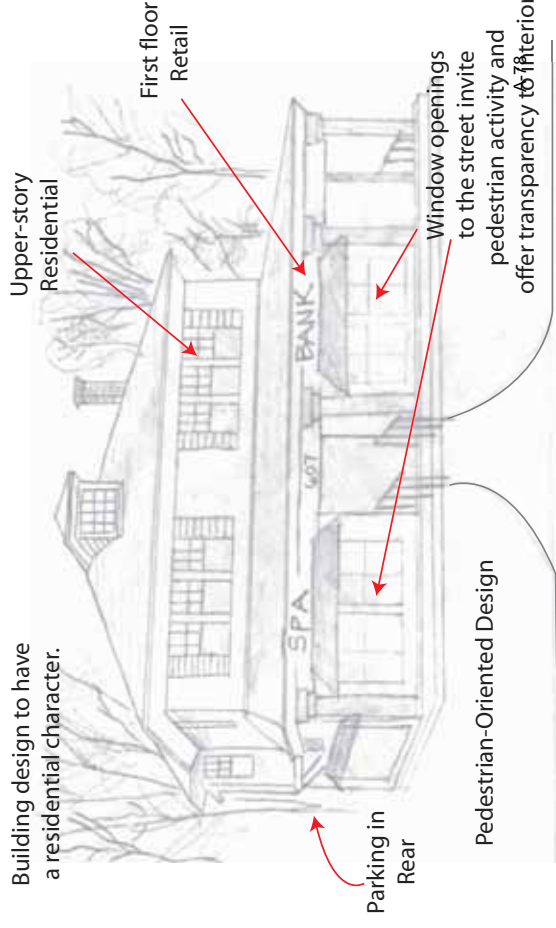
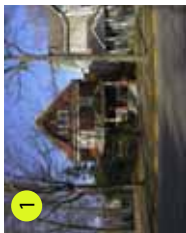


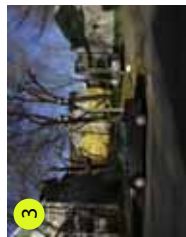
Photo Map of Properties in the MOR District as of July 2004



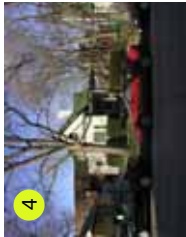
714 W. Green



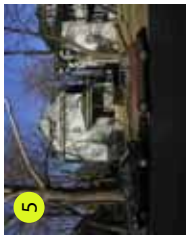
712 W. Green



710 W. Green



708 W. Green



706 W. Green



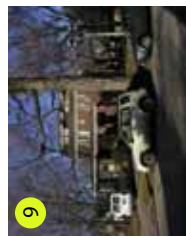
704 W. Green



702 W. Green



612 W. Green



608 W. Green



604 W. Green



602 W. Green



601 W. Green



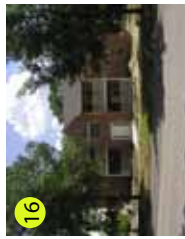
603 W. Green



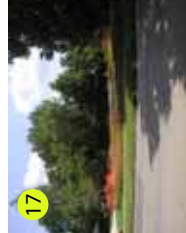
605 W. Green



609 W. Green



611 W. Green



701 W. Green



703 W. Green



705 W. Green



707/709 W. Green



711 W. Green



713 W. Green

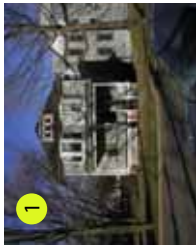


Outlined Area



MOR Properties

Photo Map of Properties in the MOR District as of July 2004



612 W. Elm



610 W. Elm



608 W. Elm



606 W. Elm



604 W. Elm



1 Buena Vista Court



8 Buena Vista Court



510 W. Elm



508 W. Elm



506 W. Elm



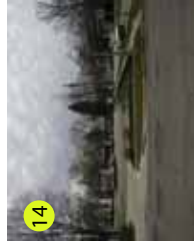
504 W. Elm



502 W. Elm



507 W. Elm



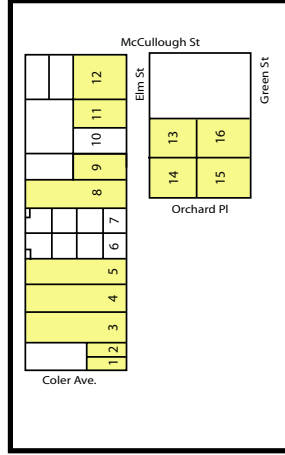
511 W. Elm



510 W. Green



508 W. Green



Entire MOR District

Photo Map of Properties in the MOR District as of July 2004



401 W. Green



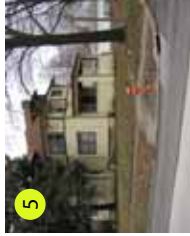
403 W. Green



405 W. Green



407 W. Green



409 W. Green



501 W. Green



503 W. Green



505 W. Green



507 W. Green



509 W. Green



511 W. Green



412 W. Green



410 W. Green



408 W. Green



406 W. Green



404 W. Green



201/203 S. Birch



403 W. Elm



405 W. Elm



407 W. Elm



409 W. Elm



206 S. McCullough

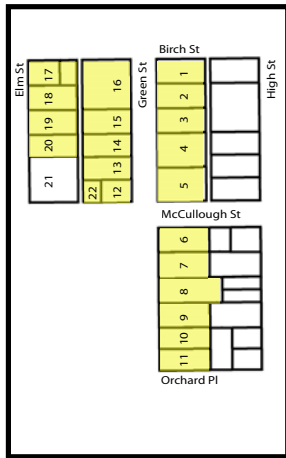
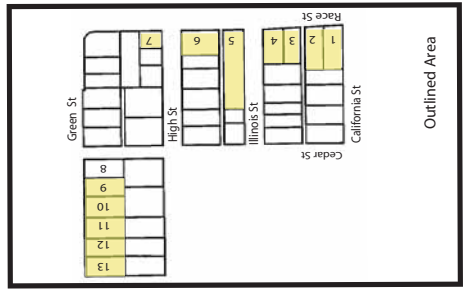
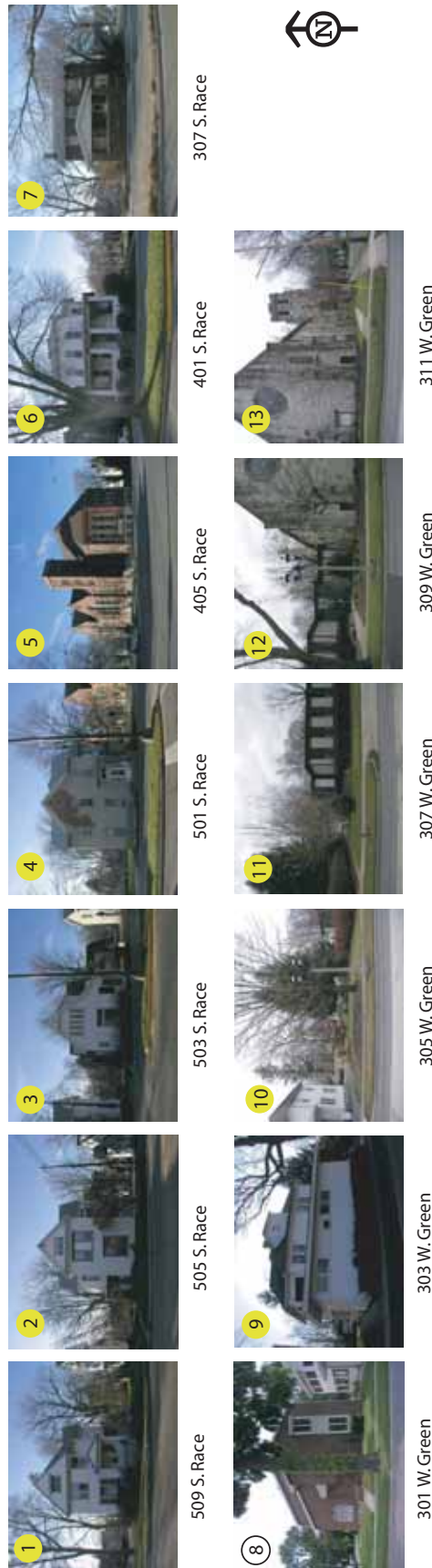


Photo Map of Properties in the MOR District as of July 2004



A-88
Entire MOR District

Appendix D
Blacksburg, VA
Neighborhood Enhancement Program

Services

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Program

Town Council enacted the Neighborhood Enhancement Program (NEP) in July 1999 as a result of recommendations made by a mix of diverse committees, citizen groups, and Town staff. The program seeks to educate citizens on quality of life issues and preserve neighborhood stability through increased communication, coordination, citizen involvement, citizen problem solving, and by encouraging a sense of resident stewardship. NEP was also created as a mechanism to increase the Town government's responsiveness to residents by increasing current resources and priority to enforcing laws and codes.

The NEP consists of three interdependent initiatives:

- [Neighborhood Planning](#)
- [Code Enforcement](#)
- [Rental Permitting](#)

Each of these initiatives has separate objectives with the unified goal of promoting the *health, safety, and welfare* of Town citizens.

Initiative Objectives:

- *Neighborhood Planning:*
Improving social interaction within neighborhoods, engaging residents in a meaningful dialogue with each other, and encouraging their involvement in local government. The majority of neighborhoods, prior to the NEP, were either inactive or crisis driven organizations, but this initiative provided the foundation to begin organizing, creating stronger community bonds, and establishing permanent dialogue with Town officials.
- *Code Enforcement:*
Designed to streamline the previous complaint process and initiate proactive identification of violations to reduce citizen reported concerns on the exterior maintenance of both owner occupied and rental property Town-wide. This component of the program provides enforcement to eliminate violations of existing Town codes already in the book, which degrade the appearance and quality of life within neighborhoods, and promotes the public health, safety, or welfare of the occupants. Code Enforcement also addresses recurring violations in a proactive and timely manner.
- *Rental Permitting:*
aims to reverse past trends associated with rental property conversions. These past trends include substandard and unsafe housing; exceeding occupancy limits set forth in the Town Zoning Ordinance and lack of tenant/landlord responsibility to the neighborhood upon conversion of a property to rental use.

Citizen groups provided input over the course of development of the NEP. These groups have included the [Neighborhood](#)

[Federation](#), neighborhood homeowner groups, Townscape, the NRV Board of Realtors, and Property Managers. In addition, the Rental Permitting component was refined by a task force appointed by the Mayor. The [task force](#) included representation from the NRV Apartment Council, rental property owners and neighborhood representatives.

Additionally, Town staff are committed to the improvement of services and contributed to the design of all aspects of this proposal. Staff work included research into programs across the state and nation. Periodically over the 1st year of implementation, the groups listed above will meet to evaluate the effectiveness of the program.

For additional information please call 961-1126.

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Services

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 A logo consisting of a grid of white lines forming a diamond shape, with the word "Blacksburg" in a stylized font across it.

Blacksburg

EST. 1798

Department
Program

Proactive Townwide Code Enforcement

With the institution of the [Neighborhood Enhancement Program](#), enforcement of specific Code provisions would shift from not only [complaint-based to proactive](#), but supported by continual inspection by Town staff. These items would include snow removal on sidewalks, tall grass, litter and debris, inoperable vehicles, property maintenance, occupancy, sign and other zoning violations, and the like.

The process is designed to consolidate and streamline the resolution of these items. The approach will include establishing a GIS database to foster communication and coordination among property owners, managers and renters in the spirit of cooperation. Code violations will be enforced aggressively by Town staff.

1. Proactive enforcement of the following Town Code provisions will be initiated to augment the current complaint response approach:
 - A. Snow removal on sidewalks, duty of property owners to keep sidewalk clean. ([Section 21-111 and 21-112, Town Code](#))
 - B. Abandoned vehicles. ([Article V, Town Code](#))
 - C. Open storage of inoperable vehicles. (Section 14-107)
 - D. Posting advertisements, signs, etc., on property of another. (Section 14-103)
 - E. Accumulation of trash or weeds (12 inch height limit in Town Code, 10 inch limit in Property Maintenance Code). (Section 14-201)
 - F. Placement of trash or brush on the street or alley prior to the evening prior to collection day. ([Section 20-205, Town Code](#))
 - G. Missing or damaged street name or traffic control signs.
 - H. Visible house and building addresses. ([Section 21-202, Town Code](#))
 - I. Sight obstructions at intersections. ([Section 21-304, Town Code](#))
 - J. Parking of vehicles must be on a driveway, asphalt, gravel or other all weather surface parking area.
 - K. Apparent occupancy violations, based upon number of cars observed at a location.
 - L. Maintenance of Zoning Ordinance requirements, such as screening (vegetation and fencing, landscaping, parking spaces, etc.).

- M. Work requiring a building permit or site plan approval.
- N. Home occupation violations; typically would include outdoor storage, noise or odor or other similar effect, signs or advertising.
- O. Exterior property maintenance code violations, visible from the street; including:

- 1. Unsecured vacant structures.
- 2. Exterior property not maintained in a clean, safe, and sanitary condition.
- 3. Sidewalks, driveways, stairs, not maintained in a proper state of repair.
- 4. Stairways, decks, porches and balconies not maintained in good repair.
- 5. Windows and doors not in sound condition, good repair, and weather tight.
- 6. Basement hatchways and windows not maintained to prevent entrance of rodents, rain, and runoff.

- 2. This will be accomplished by continual field inspection by trained personnel assigned to specific areas of Town. In addition, other Town personnel, to include the 2 Assistant Inspectors, who are frequently on the road will be cross trained to identify common violations. These identified areas can be relayed by radio or phone to the Neighborhood Enhancement Coordinator or Administrative Assistant.
- 3. Violations, and pending violations (such as overgrown lawns not yet 10 inches in height) will be noted daily. The NEP Coordinator or Inspector will make personal contact, when possible, with the occupant of the property at the time a violation is noted to explain the issue and discuss correction. A violation notice will be handed to the occupant at that time. Where a personal contact is not possible, the violation notice will be left at the property and a certified copy will be mailed to the the property owner (or manager as applicable).
- 4. A listing of the violations noted will be provided daily to the Coordinator, with information on the contact made and time frame agreed or requested for correction. The Coordinator will log all violations and track outcome. In addition, the Coordinator will send follow up letters confirming the personal contacts and corrective action necessary, and time limit for correction.
- 5. All efforts are made through this stage to develop a cooperative, and open communication with the responsible party, and to interact on a positive mutually beneficial basis. Wherever possible, a reasonable solution and time frame will be pursued, and all issues will be approached with the assumption the responsible parties desires and willingness to "do the right thing."
- 6. All violations not responded to or addressed within the agreed time frame are forwarded immediately to the [Town Attorney](#) for prosecution.
- 7. Staff from this program shall supplement the enforcement of the Noise Ordinance ([Chapter 13, Town Code](#)) by receiving from the [Police Department](#) on Monday morning of each week, all noise complaints received the following week, the location and Police response if applicable. The

Neighborhood Enhancement Coordinator will log these violations on a property basis. In addition, phone contact will be initiated to the owner/property manager advising of the complaint with a request for reinforcement with the tenant. This phone call will be followed in writing.

As necessary, where noise complaints have been recurrent and no effort has been made to resolve the problem, staff may be on duty at select evenings during the year to contact owners/property managers at the time the noise complaint is made.

8. Where the exterior property maintenance inspection, or a complaint provides probable cause, the building shall be subject to a property maintenance inspection of the interior, pursuant to the appropriate administrative procedures. Where such property maintenance inspection provides probable cause, the building shall be subject to a fire code inspection of the interior, pursuant to the appropriate administrative procedures. Violations noted will be provided to the property owner with a time frame for correction. Failure to correct the violations within the specified time frame will result in referral to the Town Attorney for prosecution.
9. Property maintenance violations which cause a structure to be "unsafe" or "unfit for human occupation", as defined under the Property Maintenance Code, shall be condemned at the time of the determination and occupancy prohibited until the condition is corrected.
10. Any complaints received relative to any of the above codes, will be taken directly by the Coordinator and referred to the area Inspector for investigation. That inspector may contact the complainant as necessary to attain further information on the complaint, or advise them as to findings and corrective action required. As stated above, the Coordinator will ensure that each contact is logged, tracked and that complaints and violations are reviewed until resolution has been confirmed.
11. At the conclusion of the investigation, if there is no violation, or upon correction of the item, the Coordinator will contact the complainant, in writing, to determine if they are satisfied with the outcome and/or thank them for their support in correcting the violation. In addition, any suggestions for program improvement will be solicited.
12. To facilitate the availability of staff to receive complaints, the Coordinator will be available beginning at 7 a.m. weekdays to receive calls and complaints. In addition, there will be a direct line phone mail system established (540-961-1114), and email address kkirk@blacksburg.gov, for this program such that complaints may be made at any hour. The 7 a.m. start time will enable persons to call prior to their work hours for issues that may have related to prior evening activities.
13. The Coordinator will establish annual contracts with private contractors for the enforcement of violations, where provided for in the Code. Examples would include mowing tall grass, removal of debris or litter, removal of abandoned vehicles, etc. The use of contractors will enable a rapid

response to accomplish the corrective action without impact on Town operations and projects. This also streamlines the enforcement process, thus maximizing the effectiveness and responsiveness of the program.

In addition, as provided for in the Code, the full cost to the Town will be billed to the property owner. This will include contract and administrative charges.

14. Where it is appropriate that Town crews be used to address items, such as trimming along rights-of-way or replacement of street signs, the Coordinator will contact the appropriate office and that contact person will return the call if applicable.
15. To maintain an open and active line of communication with the neighborhoods, the Coordinator will be available and will actively request to attend neighborhood meetings to hear code enforcement concerns and provide information on enforcement activities. In addition, the Coordinator will solicit input on relative effectiveness of the program elements.
16. The Coordinator will also be a resource for the neighborhood to initiate any Town services or activities by providing the contacts or facilitating the interaction. Such related services or programs may include Recreation or Park issues, Transit issues, Bikeway or Sidewalk issues, Neighborhood Traffic Control program, Recycling or Composting issues, Neighborhood Watch, etc.
17. Periodic area reviews will be arranged for all Inspectors, the Town Attorney, the Neighborhood Enhancement Program Coordinator and other applicable Town representatives, to walk through an area and note and discuss violations. This is intended to equalize the interpretations of compliance and violations and provide an opportunity to share information on successful and unsuccessful approaches and interactions. The Neighborhood group contact will also be invited to the reviews in their neighborhood.
18. Monthly Neighborhood Enhancement Team gatherings will be held to discuss the apparent success or failure of program elements from all perspectives and make recommendations for improvements.
19. Periodic Neighborhood Walks are recommended which would include Council Members, the Manager, and key staff. The walks would be for the purpose of evaluating program effectiveness, and providing a personal forum for residents to comment on issues addressed well, or not. These walks would be publicized generally and to the specific neighborhood residents.
20. In addition to the proactive approach to Code enforcement, the complaint response process is significantly streamlined under this program. Essentially, the customer must make only one phone call, and all subsequent follow up and coordination is by the staff. Additional staff may contact the customer as a complaint is addressed to attain additional information or provide the

status of an investigation, but the customer would never be referred to different locations for different concerns.

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Services

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EST. 1798

Neighborhood planning is an opportunity for citizens to build a community within their neighborhoods by taking an active role in the planning process. The process involves citizens, local stakeholders, town departments, community organizations and institutions coming together to address land use planning and service delivery issues. The goal is to promote mutual responsibility and joint problem solving which is essential to the continuing health and strength of a community. A successful neighborhood plan:

- Represents all of the groups that make a community;
- Identifies neighborhood strengths and assets;
- Identifies neighborhood needs and concerns;
- Establishes goals for improving the neighborhood;
- Provides recommendations for how to reach those goals;
- Guides future development; and
- Directs the policy and financial decisions of local government.

Read on for more information about the Neighborhood Planning process, or call (540) 951-4347 for more information on Neighborhood Planning. Information regarding the [Neighborhood Enhancement Program](#) and a listing of members of the [Blacksburg Federation of Neighborhoods](#) are also available. The Neighborhood Planning Initiative Brochure is available from the [Forms and Publications page](#).

Purpose of Neighborhood Plans: Neighborhood plans provide a process for concerned people to work together to improve their communities. Plans are developed by the neighborhood with assistance from Town staff. Neighborhood Planning involves those people who live, work, own property, or own businesses in the neighborhood, and includes the major institutions in the neighborhood such as churches and schools. All neighborhood organizations affected by a neighborhood plan should join in the planning process. The results of individual neighborhood plans will become a permanent part of the Town's planning and development process. Goals may be as simple as decreasing the number of code violations in the neighborhood or as complex as a recommendation for design guidelines.

Why a Neighborhood Would Want a Plan: There will be advantages to neighborhoods that work together on a plan. Plans will be adopted by Town Council and will help provide direction for all Town programs and projects that affect the neighborhood. The neighborhood, through building consensus, will

have a clear vision of its priorities and needs. Businesses will know what services are needed and what development will be encouraged. Plans may include measures such as developing a community newsletter, holding annual "clean sweeps", installing traffic calming measures, adopting a neighborhood conservation overlay district, or establishing a neighborhood watch program.

The Collaborative Advantage: At first, it may seem easier to have a planning area that matches the boundaries of a single neighborhood organization. However, some neighborhoods may need to be organized into planning areas that include a wide range of community needs and opportunities such as places for people to live, work, shop, relax and come together at public places. Some neighborhoods are large and offer a good opportunity to work on a neighborhood plan. Other neighborhoods are small and may decide that they want to collaborate with others and work on a plan. However, all of the neighborhoods that voluntarily come together to work on a plan will vote on all of the recommendations included in the plan.

Neighborhood Planning Boundaries: Planning area boundaries are determined by the neighborhoods within the proposed planning area. The planning areas need to reflect common interests, geographic features and shared services. The key to an effective size for a planning area is that it is large enough to present opportunities for new ideas while still allowing for the participating groups to work together effectively. Planning areas may be larger than a single neighborhood organization.

Why Establish Neighborhood Groups: A neighborhood group serves as a long-term representative for residents in the larger community and is comprised of people who live in the neighborhood, work on common problems, keep abreast of developments that can affect neighborhoods and are available to voice neighborhood concerns when issues arise. The Town's Neighborhood Planner can provide assistance to neighborhood groups to facilitate neighborhood meetings, provide a plan framework, provide technical assistance including research, mapping, and design, coach through plan goal development, and facilitate consensus building.

How to Establish Neighborhood Groups:

A. Get Organized With a Core Group of 4-6 Residents

Get interested residents and neighborhood leaders together to discuss concerns and how to get people involved and plan for the first meeting.

B. Plan and Facilitate the First Meeting

Persons interested in forming a neighborhood group shall set a time and place for an organizational meeting and notify all residents of this meeting.

C. Establish the Neighborhood Boundary

- Define the neighborhood boundaries: where does the neighborhood end and adjacent areas of town begin? What are the major streets, etc. that define the boundaries of the

neighborhood?

- Prevent overlapping boundaries when an area is defined. What are the boundaries of nearby neighborhood associations?
- Consider the neighborhood and its residents - who lives in the neighborhood and what are the concerns? Let groups evolve based on their needs and issues.

D. Membership - Developing the Group

- Open membership to all persons residing within the boundaries and to all persons and legal entities owning property or having a place of business within its boundaries. **60-75% resident participation is recommended to establish an effective neighborhood group.**
- Writing bylaws is encouraged (by a self-appointed committee or Town staff can provide a set of standard bylaws to be used as a framework for all groups.)
- Electing officers is encouraged.

E. Develop Action Plan

- Conduct needs assessment/survey.
- Become familiar with neighborhood - assets, issues...
- Coalition building by discovering, and working with, existing neighborhood organizations.
- Recruit small business owners and associations in the area to join the neighborhood group.
- Work with the Town to minimize conflict with other neighborhood's or town goals and policies.
- Review Comprehensive Plan Sector goals and objectives.
- Set purpose, objectives and priorities.
- Develop plan and implementation.

Develop a Neighborhood Plan

Coalition Building

A successful neighborhood group must find out about and work with existing neighborhood organizations.

Form alliances with small business owners and associations in the area and have them join the neighborhood group.

Work together with your local government to ensure neighborhood goals will not conflict with other neighborhoods' goals, town goals or with existing policies.

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Services

[Home](#)[Index](#)[Search](#)[Departments](#)The logo for Blacksburg, Virginia, featuring the word "Blacksburg" in a stylized font with "EST. 1798" underneath, set against a diamond-patterned background.

Blacksburg
EST. 1798

The Town requires specific rental properties to register with the Town. If you have or plan to acquire rental property, please read the following information or contact the Town Neighborhood Enhancement Coordinator at (540) 951-4347 for details. Perceived violations of the Rental Permitting process can be reported through the [Neighborhood Enhancement Program Complaint Response Process](#). This effort has been coordinated through the [Rental Permit Task Force](#).

The [Rental Property Registration Form](#) is available for download in [Adobe Acrobat format](#). The [Property Maintenance Inspection form](#) is also available for public viewing.

This ordinance requires you to register your property with the Town if your property is rented, or if you rent rooms within your home to two (2) individuals unrelated to you. The initial registration was required by September 1, 1999.

Read the [Property Owner's notice](#) for more details, or view the [Map of PR and R4 Zones](#).

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1. Town Council adopted Ordinance 1219 as the rental permitting and inspection program within this Neighborhood Conservation District, as the conservation plan.

This Ordinance designates that the single-family neighborhoods within Town are highly valued, deserving of conservation, and will benefit from Town assistance in assuring rental property compliance with property maintenance codes within these neighborhoods. The single family areas will be defined as all properties within an R-4 zoning district, and all properties within single family areas of PR zoning districts. These areas will comprise a Neighborhood Conservation District.

2. Registration of all rental properties within the Neighborhood Conservation District is required annually, by September 1 of each year. After the initial program year, Town staff will mail out to previous registrants a preprinted form in order that only the corrections need be noted and returned to the Town.

- A. The definition of a rental property, is one on which a dwelling unit is rented, or one on which the owner occupant rents rooms within the dwelling unit to two individuals unrelated to the owner occupant. The accessory apartment registration will be replaced with this rental property registration, in the Neighborhood Conservation District. Homes in which owners rent a room within the same dwelling unit to one individual unrelated to the owner occupant are not considered rental properties, and thus not subject to this registration.
 - B. There will be no fee for the rental property registration.
 - C. A late registration fee of \$25 will be charge for any registrations received more than 30 days beyond the registration deadline.
 - D. Upon receipt of the registration, the information will be checked for appropriate number of occupants, and type of dwelling unit. A database will be maintained of the information received.
3. Amended registrations are required for rental properties that change ownership or management within the year, within 60 days of the change. A late registration fee of \$25 will be charged for registration amendments received more than 30 days beyond this deadline. The Town will attempt to notify new owners as land record information indicates a change in ownership. The local realtor association and local attorneys will be advised of this requirement and requested to notify new owners accordingly.
4. A registration receipt will be issued and provided to the owner, property manager, and utility billing section of the [Department of Financial Services](#). The term of the registration will be one year.
5. Town staff will schedule inspections of all permitted rental properties for compliance with the building maintenance code once every three years. All registered units will be inspected within three years of initial registration.
- A. There will be no fee for the inspection.
6. If there is a complaint received regarding the building maintenance, or if external proactive property maintenance inspections give cause, the building maintenance inspection shall be scheduled within 7 days of such initiating factor. The owner and property manager will be notified within 2 days of the complaint and given the opportunity to attend the inspection.
7. The inspection will focus on the key safety and livability features of the property maintenance code, including:
- Exterior of unit
 - Electrical system

- Plumbing/Heating
- Kitchen/Bathroom Facilities
- Smoke Detectors
- Stair/balcony/deck railing secure
- Bedrooms
- If the building maintenance inspection gives cause for concern regarding compliance with the Fire Protection Code, the Fire Code Official shall inspect the premises for compliance.

Violation of building code provisions is a misdemeanor, and punishable by a fine of not more than \$2500. If the violation concerns a residential unit and if the violation remains uncorrected at the time of the conviction, the court shall order the violator to abate or remedy the violation in order to comply with the Code (Virginia Code Section 36-106).

A. Owners/property managers may appeal the inspector's determination of a violation to the Maintenance Code Official (Building Official), and then to the Board of Appeals as established under Section PM.111 of the Property Maintenance Code.

B. The process for an appeal of a property maintenance code is as follows:

1. The property owner must file an appeal with the Town within 20 days of the violation notice.
2. The appeal will be heard by the local board of building code appeals, as established pursuant to Section PM111.2 of the Virginia Uniform Statewide Building Code. This board consists of 5 members appointed by the Town Council.
3. The board shall meet within 10 days of the filing of an appeal.
4. All hearings before the board shall be open to the public.
5. The board shall rule by a concurring vote of three members present.
6. Decisions of the board shall be provided in writing.
7. An appeal of the Board's decision may be made to the Virginia State Building Code Technical Review Board (TRB), and must be filed within 21 days of the board's decision.

8. A rental permit will be provided to the owner and property manager upon successful completion of the property maintenance inspection.

9. No re-inspection fee will be charged for the first re-inspection to determine if violations have been corrected. A second re-inspection fee of \$100 will be charged for second and subsequent re-inspections to determine correction of violations noted.

10. Multi unit apartments within the Neighborhood Conservation District are subject to the same permitting and inspection requirement. However, if there are more than 10 units on the property, and there have been no founded complaints within the permit term, inspection of a sample of 30% of the units will be adequate. Larger complexes which also have had no founded complaints within the permit term may qualify for a lesser sample size to be inspected, based upon the

complex size and condition and similarity of units. In no case shall a sample size be less than 10%.

11. Rental permits shall have a three-year term. In order to renew the permit the owner/ property manager shall:
 - A. Update the registration information as necessary
 - B. Have received a satisfactory property maintenance inspection by the Town,
 - C. Be in compliance with occupancy limits per the zoning district,
 - D. Have the property in compliance with additional relevant Town Code provisions:
 - Street numbering visible on exterior of home
 - Compliance with weeds/ debris ordinance on property
 - Property free of abandoned or inoperable vehicles
 - Backflow prevention device in place.
12. Failure to register the rental property and renting the property without a valid rental permit shall be a Class I Misdemeanor for both the owner and property manager. Notice shall be provided via certified mail to both property owner and property manager of an apparent violation. The recipients shall have 7 days from the notice to register the rental property. If the property manager provides written notice to the Town and owner that they are no longer representing the property, subsequent violations on that property will not be cause for action against the property manager.
13. Water and sewer service will be denied to rental properties without a rental permit. This will be ascertained by checking the requested water customer name against the name of the property owner, and verified with the person making the request for service.
14. Conditions for revocation of a rental permit shall include:
 - A. violation of occupancy limit, following notice and a period not to exceed 30 days for correction
 - B. Unsafe Condition as defined by the Property Maintenance Code.
 - C. Other relevant Town Codes stated herein.
15. If it is determined that there is a violation, [see item 14.](#), the Town shall:
 - A. Give written notice to the property manager and property owner and tenant of the violation, stating that the rental permit will be revoked on a date certain.
 - B. This date shall be not less than 7 days, and not more than 30 days, from the date of the written notice.
 - C. The notice shall specify that the recipient may appeal the permit revocation to the Town Manager within 20 days of the date of the notice. The Town Council will be notified of

any appeals filed. The permit will remain in effect while an appeal is pending.

- D. If the noted violation is not corrected by the date certain, and the appeal is not placed, or not successful, the rental permit shall be revoked on the established date.
 - E. The owner/property manager and tenant will be notified of the effective date of the revocation, and notified that continuing to rent the property is a Class I Misdemeanor.
 - F. Prosecution by the Town will not be initiated while the owner/property manager is diligently pursuing the eviction process in the most timely manner permitted under the landlord tenant act. However, any delay in action to end the rental of the property without a permit will result in Town action to prosecute the owner and property manager as a Class I Misdemeanor.
 - G. The owner of a property on which a rental permit is to be revoked may appeal the Town Manager's determination to the Circuit Court. Appeal of the permit revocation to the Circuit Court shall not stay Town enforcement action on the revoked permit.
16. A revoked rental permit may be reinstated, after the cause for the revocation is corrected, and in conformance with [item 11](#). above.
17. The Neighborhood Conservation District, within which the rental-permitting program applies may be expanded into other areas by Town Council Action.
- A. This expansion may be initiated by Town Council Resolution, property owner or resident petition to the [Town Manager](#), or [Planning Commission](#) recommendation.
 - B. Upon receipt of one of the initiating request, a public meeting shall be scheduled, to which all property owners and residents of the area will be invited by first class mail. The meeting shall be for the purpose of ascertaining the concerns of the owners and residents. If the conclusion of this meeting is that there is not interest in pursuing incorporation of the area into the Neighborhood Conservation District, this recommendation shall be forwarded to the Town Council, prior to initiating the following steps.
 - C. Following the public meeting, the staff shall evaluate factors of the study area. A staff report shall be prepared which defines the existing condition of the study area and concerns of the residents and owners, and analyzes the probable effectiveness of the rental-permitting program in addressing these issues. The factors evaluated shall include, but not be limited to:
 - 1. Ratio of rental units to owner occupied units
 - 2. Apparent condition of housing stock
 - 3. Neighborhood now or formerly single family owner occupied
 - 4. Inadequate parking, on or off street
 - 5. Noise, litter, property maintenance violations and complaints
 - 6. History of occupancy and other zoning violations
 - 7. Presence of Abandoned and Inoperable vehicles
 - 8. Use of voluntary property maintenance inspections by property owners/property managers
 - 9. Effectiveness of property owner/property manager partnership with Town to

encourage appropriate tenant behavior in area.

10. Additional evidence of neighborhood deterioration.

D. A public hearing shall be scheduled before the Town Council, which will be appropriately advertised. In addition, individual notices of the proposal to include this area in the Neighborhood Conservation District for the Rental permit program shall be mailed by first class mail to all property owners within the area.

E. Action to include the proposed area or not shall be considered by the Town Council following the public hearing.

18. Owners and property managers of rental properties not within the Neighborhood Conservation District may request a voluntary building maintenance inspection. Such inspection will be done as resources allow, at no cost to the requester. A re-inspection to verify correction of any noted items shall also be performed at no cost, however subsequent re-inspections of the same items will be done at a cost of \$100 for the second and subsequent re-inspection. Upon satisfactory completion of a property maintenance inspection, a certificate will be provided to the owner and property manager, which exempts the property from further property maintenance inspections for three years, should the property become included in the Neighborhood Conservation District. As noted above, a founded property maintenance complaint, or other apparent cause as identified through the proactive code enforcement may trigger a property maintenance inspection within this three-year period.

19. The Town will initiate a process, Town wide, not solely within the Neighborhood Conservation District, whereby the Town and property owners and property managers reinforce the efforts of the other to encourage appropriate tenant behavior in a neighborhood. The process will be as follows:

- A. Upon Town receipt of complaint or allegation of noise or the other listed violations, the property owner and property manager will be notified. This notification will be made in a timely manner, and not more than 2 weeks following the complaint.
- B. The property owner or manager will then communicate with the tenant regarding behavior expectations. Most leases include a provision requiring that tenants comply with laws, including local ordinances. All landlords will be encouraged to include such a provision.
- C. Upon conviction of an offense, the Town will notify the property owner and property manager of the offenses that occurred at the property.
- D. The property owner, property manager will be requested to advise the town {copy the Town} on action taken or notice given to the convicted tenant.
- E. The Town will support the landlord in an eviction process arising from such behavior violations.
- F. The landlord, property manager will be requested not to renew a lease with a tenant that has been the subject of numerous complaints, or convicted of a crime or misdemeanor.

Rental Permit Task Force Members

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Don Mullins

Warren Stutzman

Captain Mosby, Police

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Appendix E
Table of Ordinances Reviewed

ORDINANCES SURVEYED

| Municipality | Year enacted | Primary Function | Who Nominates | Who Approves | Who Reviews | Plan required | Guide-lines | Incent-ives | Notes |
|----------------------|----------------|-------------------|--|--|--|----------------------|-------------|-------------|--|
| Atlanta, GA | Feb-04 | HP | atlanta city council, owners (at least 10% or 10 properties) | landmark commission | Urban Design Commission | no | no | no | same as HD only no certificate appropriateness except for demolition and exterior alterations |
| Bethlehem, PA | | HP | property owner/resident petition, Town Manager, or Plan Commission | Town Council | (no reviews) | yes (district study) | yes | yes | the same as historic district |
| Blacksburg, VA | 1999? | | planning & zoning comm., City Council, one or more property owners, or staff | city council, after comment from Historic commission | Planning&zoning, HPC, Design Review, or other depending on intent of NCD | no | no | no | mainly used for Rental Registration purposes; part of the neighborhood enhancement program which looks at planning and code enforcement as well |
| Boise, ID | Aug-01 | overlay zone | | Board of County Commissioners | Plan Commission and Board of Commissioners | no | yes | no | county commissioners and plan commission can not nominate, site plan review process already established |
| Boulder County, CO | Jun-02 | | 50% of property owners | Board of County Commissioners | Preservation Commission | ? | ? | ? | used for education and step stone to providing incentives |
| Carbondale, IL | Apr-02 | HP | any person with 25% of property owners in agreement | city council | | | | | |
| Chapel Hill, NC | | HP | town council, owners of 51% of land, 51% of property owners | town manager | town manager | yes | yes | no | like historic districts, but less review of alterations http://www.dallascityhall.com/pdf/planning/ConservationTotalPacket.pdf |
| Dallas, TX | | HP | 50% of property owners and owners representing 50% of land | staff, landmark comm., plan comm., and city council | City Staff | no | yes | no | |
| Dayton, OH | revised Oct-05 | design guidelines | | City Plan Board recommends adoption | administrative for minor and Urban Preservation commission for major | yes | yes | no | |
| Fort Collins, CO | | zoning district | | | | no | yes | no | low density, medium density, and neighborhood conservation buffer district |
| Indianapolis, IN | | HP | | | | yes | yes | no | |
| Iowa City, IA | revised, 2004 | HP | HP commission, 6 or more property owners | | commission changes depending on type of review | no | yes | no | properties that qualify for HD nomination cannot qualify for NCD |
| Jefferson Parish, LA | Sep-99 | overlay zone | ? (only one district) | | Old Metairie Commission | no | yes | no | in response to mcmanions |
| Milwaukee, WI | | overlay zone | neighborhood property owners City Department or both | | | yes | yes | no | |
| Nashville, TN | 1985 | HP | neighborhood | Metropolitan Council | Historic Zoning Commission | no | yes | no | not less historic than HC but less stringent, http://www.nashville.gov/imhc/districts.htm |
| Omaha, NE | | plan | majority of property owners, planning board, or city council | planning board and city council | (no reviews) | yes | no | no | adopted as portion of comprehensive plan |

| Municipality | Year enacted | Primary Function | Who Nominates | Who Approves | Who Reviews | Plan required | Guide-lines | Incentives | Notes |
|------------------|----------------|------------------------|--|---|---|---------------|-------------|------------|---|
| Phoenix, AZ | | plan | 50% of property owners | city council with rec. from plan commission | Design Review Committee | yes | yes | | |
| Philadelphia, PA | Aug-04 | guidelines | 30% of owners and 30% of owner-occupied units | city council with rec. from plan commission and historic commission | Plan Commission and Board of Commissioners | no | yes | no | |
| Portland, OR | | design overlay | | historic landmark commission | historic commission | no | yes | yes | zoning code, building code, and financial incentives - unclear if only for historic district or NCD as well |
| San Antonio, TX | Jul-04 | HP, DG | owners representing 51% land area, 51% home owners, Director of Planning | City Staff | City Staff | yes | yes | no | |
| Santa Clara, CA | (not approved) | overlay/ guidelines | | | administrative or review | no | yes | yes | wanted administrative review for infill development |
| Wilmington, DE | Jun-04 | HP | ? | Plan Commission and City Council | Planning Dept, or Design Review and Preservation Commission | no | yes | ? | district cannot qualify for both HD and NCD |

These findings have not been verified by each municipality