

ACTION REPORT

Design Review Board

Work Session

August 19, 2009

6:00pm

1. Call to order
2. Members in attendance: Kathy Cook, Vic Jones, Vince Pisano, Darryl Jan Porter; Travis Allen, from the Historic Preservation Committee was also present.
3. Review of draft Historic Preservation Ordinance
 - a. Comments from Board:
 - Concerned with Prior Use Recognition—should not be in HP Ordinance. Board stated that the section was **modeled from Portland, OR ordinance whereby they allow this in their multi-family districts that have a density of 80-100 units per acre. Portland population is over 500,000 and is not similar to Milton and should not be used as a Milton model.**
 - A former use may have been previously lawful but may not be appropriate for community today; The Historic Preservation Ordinance should discuss guidelines and identify the four major criteria for historic designation eligibility. One of the criteria a structure's association with historic people and/or events but never a use. Historic preservation should separate and distinct from zoning and does not serve the same purpose or carry the same authority, particularly as it involves land uses.
 - This is an inappropriate method for a change of zoning—
 - Will there be public notice? Letters? Signs?
 - If the community supports the use than they will state this at a public hearing as a zoning case.
 - We are not sure of the complete implications and the possible legal issues. Are we positive there are only 1 or 2 sites that could use this section?
 - If the City is worried about creating spot zoning and want instead for uses to be approved through Historic Preservation, this is very concerning because it could circumvent the Public Hearing process. If the community believes a use is appropriate than they will support a change to the Future Land Use map. By having this section in the HP Ordinance the owner may have a legal challenge if not approved due to the challenge of interpretation.
 - Would this incentive really be appropriate for the Hopewell/Thompson store due to the extent of the renovations? This building has practically been rebuilt from new materials. Does that make it more valuable than a house that is in disrepair but still has existing materials, etc?
 - Ordinance needs more incentives to encourage participation.
 - Lower tax rates? Rebates?
 - Possibility of transferring previous use density to another location in exchange for keeping the structure.

- Could the Design Review Board conduct the reviews for the Certificate of Appropriateness? The Board meets the requirements listed for membership.
- Why isn't a provision for undue hardship (for any required renovations) included?
- The penalty for destroying historic property is not strong enough.

4. Adjournment