



Department of Planning and Development

Staff Report to the Historic Districts Commission

May 1, 2019

Charge of the Commission

REQUEST	Clarification of the charge of the HDC
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Request

At the March Historic Districts Commission meeting Commissioner Stamps requested that the Commission discuss the “charge of the Commission.” The duties of the Historic Districts Commission (“HDC”) are set out in state law and local ordinance. The bylaws do not discuss the charge of the HDC. Because Rochester Hills is a Certified Local Government the city and HDC have taken on additional responsibilities to continue the certification.

State Enabling Law and local ordinance – Chapter 118

1. The HDC’s primary responsibility is to review applications for exterior work in locally designated historic district. Specifically: Before any work affecting the exterior appearance of a resource is performed within a historic district, the person proposing to do the work shall apply for and obtain permission from the historic districts commission. Permission is required regardless of whether a building permit is required.
2. *Standards.* In reviewing plans submitted pursuant to this division, the historic districts commission shall follow the U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, as set forth in 36 CFR 67. Design review standards and guidelines that address special design characteristics of historic districts administered by the commission may be followed if they are equivalent in guidance to the Secretary of the Interior's Standards and Guidelines and are established or approved by the bureau of history of the department of state. The commission shall also consider all of the following:
 - (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area;
 - (2) The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area;

- (3) The general compatibility of the design, arrangement, texture, and materials proposed to be used; and
 - (4) Other factors, such as aesthetic value, that the commission deems relevant to its determination under the review standards and guidelines in this subsection.
3. The HDC shall review and act upon only exterior features of a resource and shall not review and act upon interior arrangements unless interior work will cause visible change to the exterior of the resource.
 4. The HDC can delegate minor classes of work to staff approval in writing.
 5. The HDC has sixty days to act on a complete application.
 6. The HDC reviews violations of the ordinance and can order changes made to bring the property into compliance, and can ask City Council to take legal action against the property owner to correct the violation.
 7. The HDC can make determinations of “demolition by neglect” and order repairs made, and can ask City Council to pursue legal action against the property owner to correct the problem.
 8. The HDC is to keep a list of potential historic districts.
 9. The HDC can recommend to City Council that potential historic districts be designated.
 10. The HDC is to submit an annual report to City Council.
 11. The HDC can recommend to City Council that a historic property be purchased.
 12. The city council, mayor, or other city boards, commissions, or departments may request reports, studies, documentation, and/or recommendations from the historic districts commission, which shall attempt to provide the requested material. In addition, the historic districts commission may submit any materials to such persons or entities on its own initiative. The commission may also, through the mayor, request city officials and employees to provide information and records to or to meet with the commission or any committee of the commission.
 13. The HDC can develop design review standards and guidelines.
 14. Render advice and guidance to property owners with respect to any proposed work on a historic resource located within a historic district.
 15. Disseminate information to the public concerning those resources deemed worthy of historic preservation and encourage and advise property owners in the protection, enhancement, perpetuation, and use of historic resources.
 16. Advise the city regarding the use of all city-owned historic resources for the purpose of enhancing the goals of historic restoration, education, and preservation.
 17. Where the commission determines the granting of a requested zoning variance would, due to peculiar design or construction, aid or assist with the preservation or enhancement of the historic appearance, the commission may so advise the zoning board of appeals.
 18. Have such other powers as are reasonable and necessary for the efficient administration and implementation of this article.
 19. Advise the city administration regarding the use of city, state, federal, and private grants and funding for the purpose of historic restoration, education, and preservation.

20. Accept in the name of the city and oversee public and private gifts, grants, or bequests for historical purposes. Upon the approval of the city council and in accordance with the donation policy established for the historic districts commission, accept, in the name of the city, grants, gifts, bequests, and donations, and advise the city administration on their use.
21. As to all funds to be made available by the city council, the historic districts commission shall annually submit a budget as a city department.
23. A person seeking to perform work on a resource within a historic district shall proceed as follows:
 - (1) *Information for commission.* Any such person shall provide the information in this subsection to the historic districts commission at least three weeks prior to the meeting at which the matter is to be considered. All required information shall be submitted in duplicate and shall include the person's name and address. The scale used for plans and drawings shall be indicated in the lower right corner. The following information shall be included:
 - a. *Site plan.* A site plan drawn to an appropriate scale and describing, dimensioning and identifying all major features including property lines, main buildings, outbuildings, parking areas, drives, walkways, fences, major trees, significant variations in grade elevation, relationship to adjacent streets and structures, and the relationship of major features to property lines. A north point shall be indicated on the plan.
 - b. *Plans and elevations for structure.* Plans drawn to scale (minimum scale of one-quarter inch equals one foot for residential and one-eighth inch equals one foot for commercial) illustrating the entire exterior perimeter of new resources, existing resources on which work is to be done, and any proposed work, together with pertinent dimensions and depiction of major exterior features including doors, windows, bays, porches, architectural trim and elevations. Details pertaining to exterior building materials shall also be provided including types, finishes and colors, kind and size of exterior wall material, and other significant architectural information. A north point shall be indicated on all plans or drawings.
 - c. *Other descriptive material.* The commission may consider photographs, research material or other descriptive information provided.

The commission may relax or waive any of the information submission requirements in this subsection if the commission deems such information is not necessary to the commission's deliberations.

 1. If an application for work is submitted under this division that will adversely affect the exterior appearance of a resource or for moving or demolition of a resource which the historic districts commission considers valuable to the city, state or nation and the commission determines that the alteration or loss of that resource will adversely affect the public purpose of the city, state or nation, the commission shall endeavor to establish with the owner of the resource an economically feasible plan for preservation of the resource.
 2. *Historic trees.* Consider and designate historic trees in accordance with division 4 of article III of chapter 126 of this Code.

Certified Local Government Responsibilities

1. Maintain a system for the survey and inventory of historic resources.

2. Provide for adequate public participation in the Historic Preservation program, including the process of recommending properties to the National Register of Historic Places.
3. Establish goals for the next three years and document how goals are met.
4. Submit an annual report to the State Historic Preservation Office detailing the activities of the city as it relates to the CLG responsibilities.