

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION

CHAPTER 168  
SENATE BILL 649

AN ACT TO UPDATE A LOCAL ACT WHICH ALLOWS THE CITY OF RALEIGH  
TO HAVE A SUBCOMMITTEE ISSUE CERTIFICATES OF  
APPROPRIATENESS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-400.9(a) reads as rewritten:

"(a) From and after the designation of a landmark or a historic district, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved, or demolished on such landmark or within such district until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the preservation ~~commission~~ commission or the historic district commission (as it continues to exist under Section 4 of Chapter 706, Session Laws of 1989) or by a subcommittee of the historic district commission or its successor. The subcommittee shall be composed of at least five members, a majority of the members of the subcommittee having demonstrated special interest, experience, or education in history or architecture. Any reference in this Part to the commission also refers to its subcommittee when the subcommittee is considering certificates of appropriateness. The municipality shall require such a certificate to be issued by the commission prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving, or demolishing structures, which certificate may be issued subject to reasonable conditions necessary to carry out the purposes of this Part. A certificate of appropriateness shall be required whether or not a building or other permit is required.

For purposes of this Part, 'exterior features' shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, 'exterior features' shall be construed to mean the style, material, size, and location of all such signs. Such 'exterior features' may, in the discretion of the local governing board, include historic signs, color, and significant landscape, archaeological, and natural features of the area.

Except as provided in (b) below, the commission shall have no jurisdiction over interior arrangement and shall take no action under this section except to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of buildings,

structures, appurtenant fixtures, outdoor advertising signs, or other significant features in the district which would be incongruous with the special character of the landmark or district."

Sec. 2. Chapter 1169, Session Laws of 1979 is repealed.

Sec. 3. This act applies to the City of Raleigh only.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 16th day of June, 1993.

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Dennis A. Wicker  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives